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THE PASTON LETTERS

A.D. 1422-1509

THE
PASTON LETTERS

A.D. 1422-1509

NEW COMPLETE LIBRARY EDITION

EDITED WITH NOTES AND AN INTRODUCTION

BY

JAMES GAIRDNER

OF THE PUBLIC RECORD OFFICE

VOLUME I

LONDON  EXETER
CHATTO & WINDUS JAMES G. COMMIN

1904

PREFACE

PUBLIC attention was first drawn to the Paston Letters ^{First . publication of the Letters.} in the year 1787, when there issued from the press two quarto volumes with a very lengthy title, setting forth that the contents were original letters written 'by various persons of rank and consequence' during the reigns of Henry VI., Edward IV., and Richard III. The materials were derived from autographs in the possession of the Editor, a Mr. Fenn, of East Dereham, in Norfolk, who was well enough known in society as a gentleman of literary and antiquarian tastes, but who had not at that time attained any great degree of celebrity. Horace Walpole had described him, thirteen years before, as 'a smatterer in antiquity, but a very good sort of man.' What the great literary magnate afterwards thought of him we are not informed, but we know that he took a lively interest in the Paston Letters the moment they were published. He appears, indeed, to have given some assistance in the progress of the work through the press. On its appearance he expressed himself with characteristic enthusiasm:—'The letters of Henry VI.'s reign, etc., are come out, and *to me* make all other letters not worth reading. I have gone through one volume, and cannot bear to be writing when I am so eager to be reading. . . . There are letters from *all* my acquaintance, Lord Rivers, Lord Hastings, the Earl of Warwick, whom I remember still better than Mrs. Strawberry, though she died within these fifty years. What antiquary would be answering a letter from a living countess, when he may read one from Eleanor Mowbray, Duchess of Norfolk?'¹

So wrote the great literary exquisite and virtuoso, the man

¹ *Walpole's Letters* (Cunningham's ed.), ix.

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What was
thought of
them by
some.

whose opinion in those days was life or death to a young author or a new publication. And in spite of all that was artificial and affected in his character,—in spite even of the affectation of pretending a snobbish interest in ancient duchesses—Walpole was one of the fittest men of that day to appreciate such a publication. Miss Hannah More was less easily pleased, and she no doubt was the type of many other readers. The letters, she declared, were quite barbarous in style, with none of the elegance of their supposed contemporary Rowley. They might perhaps be of some use to correct history, but as letters and fine reading, nothing was to be said for them.¹ It was natural enough that an age which took this view of the matter should have preferred the forgeries of Chatterton to the most genuine productions of the fifteenth century. The style of the Paston Letters, even if it had been the most polished imaginable, of course could not have exhibited the polish of the eighteenth century, unless a Chatterton had had some hand in their composition.

General
interest in
the work.

Yet the interest excited by the work was such that the editor had no reason to complain of its reception. The Paston Letters were soon in everybody's hands. The work, indeed, appeared under royal patronage, for Fenn had got leave beforehand to dedicate it to the King as 'the avowed patron' of antiquarian knowledge. This alone had doubtless some influence upon the sale; but the novel character of the publication itself must have excited curiosity still more. A whole edition was disposed of in a week, and a second edition called for, which, after undergoing some little revision, with the assistance of Mr. George Steevens, the Shakspearian editor, was published the same year. Meanwhile, to gratify the curious, the original ms. letters were deposited for a time in the Library of the Society of Antiquaries; but the King having expressed a wish to see them, Fenn sent them to Buckingham Palace, then called the Queen's Palace, requesting that, if they were thought worthy of a place in the Royal Collection, His Majesty would be pleased to accept them.

¹ Roberts's *Memoirs of Hannah More*, ii. 50.

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They were accordingly, it would seem, added to the Royal Library; and as an acknowledgment of the value of the gift, Fenn was summoned to Court, and received the honour of knighthood.

But the two volumes hitherto published by Fenn contained only a small selection out of a pretty considerable number of original letters of the same period in his possession. The reception these two volumes had met with now encouraged him to make a further selection, and he announced with his second edition that another series of the Letters was in preparation, which was to cover the same period as the first two volumes, and to include also the reign of Henry VII. Accordingly a third and fourth volume of the work were issued together in the year 1789, containing the new letters down to the middle of Edward IV.'s reign. A fifth and concluding volume, bringing the work down to the end of Henry VII.'s reign, was left ready for publication at Sir John Fenn's death in 1794, and was published by his nephew, Mr. Serjeant Frere, in 1823.

Of the original MSS. of these letters and their descent Fenn gives but a brief account in the preface to his first volume, which we will endeavour to supplement with additional facts to the best of our ability. The letters, it will be seen, ^{The MSS.} were for the most part written by or to particular members of the family of Paston in Norfolk. Here and there, it is true, are to be found among them State papers and other letters of great interest, which must have come to the hands of the family through some indirect channel; but the great majority are letters distinctly addressed to persons of the name of Paston, and in the possession of the Pastons they remained for several generations. In the days of Charles II. the head of the family, Sir Robert Paston, was created Earl of Yarmouth; but his son William, the second bearer of the title, having got into debt and encumbered his inheritance, finally died without male issue, so that his title became extinct. While living in reduced circumstances, he appears to have parted with a portion of his family papers, which were purchased by the great antiquary and collector, Peter Le Neve, Norroy King of Arms.

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Le Neve was a Norfolk man, possessed of considerable estates at Witchingham and elsewhere in the county ; and he made it a special object to collect mss. and records relating to Norfolk and Suffolk. Just before his death in 1729 he made a will,¹ by which he bequeathed his mss. to the erudite Dr. Tanner, afterwards Bishop of St. Asaph's, and Thomas Martin of Palgrave ; but this bequest was subject to the condition that within a year after his death they should 'procure a good and safe repository in the Cathedral Church of Norwich, or in some other good and public building in the said city' for their preservation, the object being to make them at all times accessible to those who wished to consult them. The condition, however, was not fulfilled, and the bequest would naturally have become null ; but 'honest Tom Martin of Palgrave' (to give him the familiar name by which he himself desired to be known) married the widow of his friend, and thus became possessed of his mss. by another title.

The Le Neve collection, however, contained only a portion of the Paston family papers. On the death, in 1732, of the Earl of Yarmouth, who outlived Le Neve by three years, some thirty or forty chests of valuable letters and documents still remained at the family seat at Oxnead. These treasures the Rev. Francis Blomefield was allowed to examine three years later with a view to his county history, for which purpose he boarded at Oxnead for a fortnight.² Of the results of a general survey of the papers he writes, on the 13th May 1735, to Major Weldon a number of interesting particulars, of which the following may be quoted as bearing upon the subject before us :—'There is another box full of the pardons, grants, and old deeds, freedoms, etc., belonging to the Paston family only, which I laid by themselves, for fear you should think them proper to be preserved with the family ; they don't relate to any estates. . . . There are innumerable letters of good consequence in history still lying among the loose papers, all which I laid up in a corner of the room on a heap which

¹ See Appendix after Introduction, No. I.

² *Cursory Notices of the Reverend Francis Blomefield.* By J. Wilton Rix, Esq.

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contains several sacks full.¹ But Blomefield afterwards became the owner of a considerable portion of these papers; for he not only wrote his initials on several of them, and marked a good many others with a mark by which he was in the habit of distinguishing original documents that he had examined and noted, but he also made a present to a friend of one letter, which must certainly have once been in the Paston family archives. He himself refers to his ownership of certain collections of documents in the Preface to his *History of Norfolk*, where he informs the reader that he has made distinct reference to the several authors and originals he had made use of in all cases, 'except' (these are his words) 'where the originals are either in Mr. Le Neve's or my own collections, which at present I design to join to his, so that, being together, they may be consulted at all times.' Apparently honest Tom Martin was still intending to carry out Le Neve's design, and Blomefield purposed to aid it further by adding his own collections to the Le Neve mss. But though Martin lived for nearly forty years after his marriage with Le Neve's widow, and always kept this design in view, he failed to carry it out. His necessities compelled him to part with some of his treasures, but these apparently were mainly books enriched with ms. notes, not original ancient mss., and even as he grew old he did not altogether drop the project. He frequently formed resolutions that he would, *next year*, arrange what remained, and make a selection for public use. But at last, at the age of seventy-four, he suddenly died in his chair without having given effect to his purpose.

Neither did his friend Blomefield, who died nine years before him, in January 1762, succeed in giving effect to his good intention of uniting his collections with the Le Neve mss. For he died deeply in debt, and by his will, made just before death, he directed all his personal property to be sold in payment of his liabilities. His executors, however, declined to act, and administration was granted to two principal creditors. Of the Paston mss. which were owned by him, a few are now to be found in one of the volumes of the Douce Collection in the Bodleian Library at Oxford. These, it would seem, were

¹ *Norfolk Archaeology*, ii. 210, 211.

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first purchased by the noted antiquary John Ives,¹ who acquired a number of Le Neve's, Martin's, and Blomefield's mss.; and after his library was sold by auction in March 1777, they became part of the collections relating to the counties of Oxford and Cambridge, which Gough, in his *British Topography* (vol. ii. p. 5), informs us that he purchased at the sale of Mr. Ives' papers. To this same collection, probably, belonged also a few of the scattered documents relating to the Paston family which have been met with among the miscellaneous stores of the Bodleian Library, for a knowledge of which I was indebted to the late Mr. W. H. Turner of Oxford.

By Mr.
Worth.

Martin's executors seem to have done what they could to preserve the integrity of his collections. A catalogue of his library was printed at Lynn in 1771, in the hope that some purchaser would be found to take the whole. Such a purchaser did present himself, but not in the interest of the public. A certain Mr. John Worth, a chemist at Diss, bought both the library and the other collections, as a speculation, for £630. The printed books he immediately sold to a firm at Norwich, who disposed of them by auction; the pictures and smaller curiosities he sold by auction at Diss, and certain portions of the mss. were sent, at different times, to the London market. But before he had completed the sale of all the collections, Mr. Worth died suddenly in December 1774. That portion of the mss. which contained the Paston Letters he had up to that time reserved. Mr. Fenn immediately purchased them of his executors, and they had been twelve years in his possession when he published his first two volumes of selections from them.

So much for the early history of the mss. Their subsequent fate is not a little curious. On the 23rd May 1787, Fenn received his knighthood at St. James's, having then and there presented to the King three bound volumes of mss. which were the originals of his first two printed volumes.² Yet,

¹ See Nichols's *Literary Anecdotes*, iii. 199.

² The following announcement appears in the *Morning Chronicle* of the 24th May 1787: 'Yesterday, John Fenn, Esq., attended the levee at St. James's, and had the honour of presenting to His Majesty (bound in three volumes) the original letters of which he had before presented a printed copy; when His Majesty, as a mark of his gracious acceptance, was pleased to confer on him the honour of knighthood.'

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strange to say, these mss. were afterwards lost sight of so completely that for a whole century nobody could tell what had become of them. They were not in the Royal Library afterwards given up to the British Museum; they were not to be found in any of the Royal Palaces. The late Prince Consort, just before his death, caused a careful search to be made for them, but it proved quite ineffectual. Their hiding-place remained unknown even when I first republished these Letters in the years 1872-75.

To this mystery succeeded another of the same kind. The originals of the other three volumes were not presented to the king; but they, too, disappeared, and remained for a long time equally undiscoverable. Even Mr. Serjeant Frere, who edited the fifth volume from transcripts left by Sir John Fenn after his death, declared that he had not been able to find the originals of that volume any more than those of the others. Strange to say, however, the originals of that volume were in his house all the time, and were discovered by his son, Mr. Philip Frere, in the year 1865, just after an ingenious *littérateur* had made the complete disappearance of *all* the mss. a ground for casting doubt on the authenticity of the published letters. It is certainly a misfortune for historical literature, or at all events was in those days, that the owners of ancient mss. commonly took so little pains to ascertain what it was that they had got. Since then the proceedings of the Historical mss. Commission, which have brought to light vast stores of unsuspected materials for history, have awakened much more interest in such matters.

Thus three distinct portions of mss. that had been carefully edited had all been lost sight of and remained undiscoverable for a long series of years. The originals of the first two volumes presented to the King could not be found. The originals of volumes iii. and iv. could not be found. The originals of volume v. could not be found. These last, however, after a time, came to light, as we have seen, in 1865, having been discovered in the house of the late Mr. Philip Frere at Dungate, in Cambridgeshire; and with them were found a large number of additional mss., also belonging to the

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Paston Collection, among which was the original of one of the letters of volume iii. separated from all its fellows, whose place of concealment remained still unknown.

This discovery, however, was important, and at once suggested to me the possibility of producing a new edition of the Letters arranged in true chronological order, and augmented by those hitherto unedited. It suggested, moreover, that more of the originals might even yet be discovered with a little further search, perhaps even in the same house. But a further search at Dungate, though it brought to light a vast quantity of papers of different ages, many of them very curious, did not lead to the discovery of any other than the single document above referred to belonging to any of the first four volumes. All that Mr. Philip Frere could find belonging to the Paston Collection he sold to the British Museum, and the rest he disposed of by auction.

The question then occurred : Since the originals of volumes iii. and iv. had not been found at Dungate, might they be in the possession of the head of the Frere family, the late Mr. George Frere of Roydon Hall, near Diss, in Norfolk? This was suggested to me as probable by Mr. Philip Frere his cousin, and I wrote to him accordingly on the 3rd December 1867. I received an answer from him dated on the 6th, that he did not see how such mss. should have found their way to Roydon, but if they turned up at any time he would let me know. Unluckily he seems to have dismissed the subject from his mind, and I received no answer to further inquiries repeated at various intervals. At last it appeared hopeless to wait longer and defer my edition of the Letters indefinitely on the chance of finding more originals anywhere. So the first volume of my edition went to press, and the second, and the third. But just after I had printed off two Appendices to vol. iii., a friend of Mr. George Frere's called upon me at the Record Office, and informed me that a number of original Paston letters had been discovered at Roydon, which he had conveyed up to London. After some further communication with Mr. Frere himself I was allowed to inspect them at his son's chambers in the Temple, when I found among them those

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very originals of Fenn's third and fourth volumes which eight years before he could not believe were in his possession ! Every one of them, I think, was there with just two exceptions—the first a document which, as already mentioned, was found at Dungate ; the second a letter (No. 52 in this edition) now preserved at Holland House, the existence of which was made known to me before my second volume was issued by a recent book of the Princess Marie Liechtenstein.¹

It was mortifying, I confess, not to have received earlier intelligence of a fact that I had suspected all along. But it was better to have learned it at the last moment than not till after my last volume was published. So, having made two Appendices already to that volume, the only thing to do was to add a third, in which the reader would find a brief note of the discovery, with copies of some of the unpublished letters, and as full an account of the others belonging to the same period as circumstances would permit. Altogether there were no less than ninety-five new original letters belonging to the period found at Roydon Hall, along with the originals of Fenn's third and fourth volumes.

In July 1888 these Roydon Hall mss. were offered for sale at Christie's. They consisted then of 311 letters, mainly the originals of Fenn's third and fourth volumes, and of those described in my third Appendix. Of the former set there were only four letters wanting, viz. the two in volume iii. whose existence is accounted for elsewhere, and two in volume iv. 'which,' the sale catalogue observes, 'are noted by Fenn himself as being no longer in his possession.' As to the letters in my Appendix the catalogue goes on to say :—

'Of the ninety-five additional letters above mentioned (Gairdner, 992-1086) *four* are missing (Nos. 1016, 1029, 1077, 1085). On the other hand, on collating the present collection with the printed volumes, it was found to contain *four others* of which no record exists either in Fenn's or Mr. Gairdner's edition, and which consequently appear to have escaped the notice of the latter gentleman while examining the treasures at Roydon Hall.'

'The latter gentleman' begs leave to say here that he never

¹ *Holland House*. By Princess Marie Liechtenstein, vol. ii. p. 198.

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was at Roydon Hall in his life, and was only allowed to examine such of the 'treasures' found there as were placed before him in the year 1875 in a certain chamber in the Temple. A well-known bookseller purchased the mss. offered at Christie's for 500 guineas, and some years later (in 1896), sold them to the British Museum. They are thus, at length, available for general consultation. The number of missing originals, however, is not quite as given in Christie's sale catalogue. There are four, not two, lacking of volume iv. On the other hand, only two letters of the Appendix are wanting.¹

About fifteen years after the discovery at Roydon there came another discovery elsewhere. On the 29th March 1890 it was announced in the *Athenæum* that the missing originals of Fenn's first and second volumes—that is to say, the mss. presented to King George III.—had likewise come to light again. They were found at Orwell Park, in Suffolk, in 1889, after the death of the late Colonel Tomline, and they remain there in the possession of his cousin, Mr. E. G. Pretyma, M.P., now Secretary to the Admiralty, who kindly showed them to me at his house soon after their discovery. They have come to him among family papers and heirlooms of which, being only tenant for life, he is not free to dispose until some doubts can be removed as to their past history; and I accordingly forbear from saying more on this point except that their place of deposit indicates that they may either have got mixed with the private papers and books of Pitt, of which a large number are in the Orwell library, or with those of his old tutor and secretary, Dr. George Pretyma, better known as Bishop Tomline. Dr. Pretyma had just been appointed Bishop of Lincoln when Fenn published his first two volumes, and it was many years afterwards that he assumed the name of Tomline. But whether these mss. came to his hands or to Pitt's, or under what

¹ The missing letters of volume iv. are Nos. 24, 97, 99, and 105 (Nos. 551, 726, 735, and 758 of this edition). The last never formed part of Fenn's collection. I do not know of any other noted by him as 'no longer in his possession.' The letters missing of the Appendix are only Nos. 997 and 1019. Of the four said to be missing in Christie's catalogue, 1016 is not a document at all, the number having been accidentally skipped in the Inventory, and the other three are in the British Museum. No. 1077, however, is inaccurately described in the Appendix.

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circumstances they were delivered to either, there is no evidence to show. Possibly the King's illness in 1788 prevented their being placed, or, it may be, replaced, in the Royal Library, where they were intended to remain.

The edition of these Letters published by Mr. Arber in 1872-75 was in three volumes. It was printed from stereotype plates, and has been reissued more than once by the Messrs. Constable with corrections, and latterly with an additional volume containing the Preface and Introduction by themselves, and a Supplement giving the full text of those newly-found letters of which the reader had to be content with a bare catalogue in 1875. My original aim to have a complete collection of all extant Paston Letters had been defeated; and there seemed nothing for it but to let them remain even at the last in a general series, an Appendix and a Supplement. The present publishers, however, by arrangement with Messrs. Constable, were anxious to meet the wants of scholars who desired to possess the letters, now that the collection seems to be as complete as it is ever likely to be, in a single series, and in a more luxurious form than that in which they have hitherto appeared. I have accordingly rearranged the letters as desired—a task not altogether without its difficulties when nice chronological questions had to be weighed and the story of the Pastons in all its details had for so many years ceased to occupy a foremost place in my thoughts; and I trust that the unity of the series will now give satisfaction. At the same time, the opportunity has not been lost of rectifying such errors as have been brought to my notice, which could not have been conveniently corrected in the stereotype editions.

Notwithstanding the recovery of the originals of the letters printed by Fenn, it has not been thought necessary to edit these anew from the mss. Whether such a thing would be altogether practicable even now may perhaps be a question; at all events it would have delayed the work unduly. Fenn's editing is, as I have shown in previous editions, fairly satisfactory on the whole, and it is not to be supposed that a comparison of all the printed letters with the original mss. would lead to results of very material consequence. A large number

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have been compared already, and the comparison inspires the greatest confidence in his care and accuracy. His misreadings are really very few, his method of procedure having been such as to prevent their being either many or serious; while as to his suppressions I have found no reason to believe, from what examination I have been able to make, that any of them were of very material importance.

It was not editorial carelessness on Fenn's part which made a new edition desirable in 1872. It was, first of all, the advance of historical criticism since his day—or rather, perhaps, I should say, of the means of verifying many things by the publication of historical sources and the greater accessibility of historical records. And secondly, the discovery of such a large number of unprinted documents belonging to the Paston Collection made it possible to study that collection as a whole, and fill up the outlines of information which they contained on matters both public and private. On this subject I may be allowed simply to quote what I said in 1872 in the preface to the first volume :—

‘The errors in Fenn’s chronology are numerous, and so exceedingly misleading that, indispensable as these Letters now are to the historian, there is not a single historian who has made use of them but has misdated some event or other, owing to their inaccurate arrangement. Even writers who have been most on their guard in some places have suffered themselves to be misled in others. This is no reproach to the former Editor, whose work is indeed a perfect model of care and accuracy for the days in which he lived; but historical criticism has advanced since that time, and facilities abound which did not then exist for comparing one set of documents with another, and testing the accuracy of dates by public records. The completion of Blomefield’s *History of Norfolk*, and the admirable index added to that work of late years by Mr. Chadwick, have also been of eminent service in verifying minute facts. Moreover, the comprehensive study of the whole correspondence, with the advantage of having a part already published to refer to, has enabled me in many cases to see the exact bearing of particular letters, which before seemed to have no certain place in the chronology, not only upon public events, but upon the private affairs of the Paston family. . . .

The care taken by Sir John Fenn to secure the accuracy of his text can be proved by many tests. It might, indeed, be inferred from

Accuracy
of Fenn's
text.

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the elaborate plan of editing that he adopted, exhibiting in every case two transcripts of the same letter, the one to show the precise spelling and punctuation of the original, the other to facilitate the perusal by modern orthography. A work on which so much pains were bestowed, and which was illustrated besides by numerous facsimiles of the original handwritings, signatures, paper-marks, and seals of the letters, was not likely to have been executed in a slovenly manner, in so far as the text is concerned. But we are not left in this case to mere presumptive evidence. • The originals of the fifth volume have been minutely examined by a committee of the Society of Antiquaries, and compared all through with the printed text, and the general result of this examination was that the errors are very few, and for the most part trivial. Now, if this was the case with regard to that volume, which it must be remembered was published after Fenn's death from transcripts prepared for the press, and had not the benefit of a final revision of the proof-sheets by the editor, we have surely every reason to suppose that the preceding volumes were at least not less accurate.

‘At all events, any inaccuracies that may exist in them were certainly not the result of negligence. I have been favoured by Mr. Almack, of Melford, near Sudbury, in Suffolk, with the loan of several sheets of ms. notes bequeathed to him by the late Mr. Dalton, of Bury St. Edmunds, who transcribed a number of the original mss. for Sir John Fenn. These papers contain a host of minute queries and criticisms, which were the result of a close examination of the first four volumes, undertaken at Fenn's request. Those on the first two volumes are dated on the 3rd and 7th of May 1788, more than a year after the book was published. But on vols. iii. and iv. there are two separate sets of observations, the first of which were made on the transcripts before they were sent to press, the other, like those on the two first volumes, on the published letters. From an examination of these criticisms, and also from the results of the examination of the fifth volume by the committee of the Society of Antiquaries,¹ I have been led to the opinion that the manner in which Sir John Fenn prepared his materials for the press was as follows:—Two copies were first made of every letter, the one in the exact spelling and punctuation of the original, the other in modern orthography. Both these copies were taken direct from the original, and possibly in the case of the first two volumes they were both made by Fenn himself. In vols. iii. and iv., however, it is stated that many of the transcripts were made by Mr. Dalton, while those of vol. v. were found to be almost all in his handwriting when that volume was sent to press in 1823.² But

Mode in which Fenn prepared the letters for publication.

¹ *Archæol.* vol. xli. p. 39.

² See Advertisement in the beginning of the volume, p. vii.

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this statement probably refers only to the copies in the antique spelling. Those in modern spelling I believe to have been made for the most part, if not altogether, by Fenn himself. When completed, the two copies were placed side by side, and given to Mr. Dalton to take home with him. Mr. Dalton then made a close comparison of the two versions, and pointed out every instance in which he found the slightest disagreement between them, or where he thought an explanation might be usefully bracketed into the modern version. These comments in the case of vol. iii. are upwards of 400 in number, and extend over eighteen closely written pages quarto. It is clear that they one and all received the fullest consideration from Sir John Fenn before the work was published. Every one of the discrepancies pointed out between the two versions is rectified in the printed volume, and there cannot be a doubt that in every such case the original ms. was again referred to, to settle the disputed reading.

Examples. 'One or two illustrations of this may not be unacceptable to the reader. The following are among the observations made by Mr. Dalton on the transcripts of vol. iii. as prepared for press. In Letter viii. was a passage in which occurred the words, "that had of your father certain lands *one* seven years or eight years ago." Mr. Dalton's experience as a transcriber appears to have suggested to him that "one" was a very common misreading of the word "over" in ancient mss., and he accordingly suggested that word as making better sense. His surmise turned out to be the true reading, and the passage stands corrected accordingly in the printed volume. In Letter xxiv. there was a discrepancy in the date between the transcript in ancient spelling and the modern version. In the latter it was "the 4th day of December," whereas the former gave it as the 3rd. On examination it appears that the *modern* version was found to be correct, a Roman "iiij." having been misread in the other as "iij." Thus we have very sufficient evidence that the modern copy could not have been taken from the ancient, but was made independently from the original ms. Another instance of the same thing occurs in the beginning of Letter xli., where the words "to my power" had been omitted in the literal transcript, but were found in the modern copy.

'Mr. Dalton's part in the work of transcription appears clearly in several of his observations. One of the transcripts is frequently referred to as "my copy"; and an observation made on Letter lxxxvi. shows pretty clearly that the copy so referred to was the literal one. At the bottom of that letter is the following brief postscript:—"Utinam iste mundus malignus transiret et concupiscentia ejus"; on which Mr. Dalton remarks as follows:—"I have added this on *your* copy as supposing it an oversight, and hope it is properly inserted." Thus it appears that Mr. Dalton's own transcript had the words which were

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deficient in the other, and that, being tolerably certain they existed in the original, he transferred them to the copy made by Fenn. Now when it is considered that these words are written in the original ms. with peculiarly crabbed contractions, which had to be preserved in the literal version as exactly as they could be represented in type,¹ it will, I think, appear evident that Mr. Dalton could never have ventured to supply them in such a form without the original before him. It is clear, therefore, that his copy was the literal transcript, and that of Fenn the modern version.

Again, in Letter xxxi. of the same volume, on the second last line of page 137, occur the words, "that he obey not the certiorari." On this passage occurs the following query—"The word for 'obey' seems unintelligible. Have I not erred from the original in my copy?" Another case will show how by this examination the errors of the original transcripts were eliminated. In Letter xxxiv., at the bottom of pp. 144-5, occurs the name of Will or William Staunton. It appears this name was first transcribed as "Robert Fraunton" in the right or modern version; on which Mr. Dalton remarks, "It is William in orig." (Mr. Dalton constantly speaks of the transcript in ancient spelling as the "original" in these notes, though it is clear he had not the real original before him at the time he made them). Strangely enough, Mr. Dalton does not suspect the surname as well as the Christian name, but it is clear that both were wrong, and that they were set right in consequence of this query directing the editor's attention once more to the original ms.²

To this I may add some further evidences of Fenn's editorial care and accuracy. When the second volume of my first edition was published in 1874, my attention was called, as already mentioned, to the existence at Holland House of the original of one of those letters³ which I had reprinted from Fenn. It was one of the letters in Fenn's third volume, and only one³ other letter in that volume had then turned up. I carefully compared both these papers with the documents as printed, and in both, as I remarked in the Preface to vol. ii., the exact spelling was given with the most scrupulous accuracy, so that there was scarcely the most trivial variation between the originals and the printed text. But a more careful

¹ The following is the exact form in which they stand in the literal or left-hand version:—*'Utia'z iste mu'd maligu' t'nsir' & c'up'ia e'.*

² No. 38 in that edition, No. 52 in this.

³ It was Letter 1 in Fenn's third volume, No. 18 in my first edition, No. 24 in this.

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estimate, alike of Fenn's merits and of his defects as an editor, became possible when, on the publication of the third volume of the same edition, I was able, as I have already shown, to announce at the last moment the result of a cursory inspection of the originals of his third and fourth volumes. And what I said at that time may be here transcribed :—

‘ The recovery of these long-lost originals, although, unfortunately, too late to be of the use it might have been in this edition, is important in two ways : first, as affording an additional means of testing Fenn's accuracy as an editor ; and secondly, as a means of testing the soundness of some occasional inferences which the present Editor was obliged to draw for himself in the absence of the originals. More than one instance occurs in this work in which it will be seen that I have ventured to eliminate from the text as spurious a heading printed by Fenn as if it were a part of the document which it precedes. Thus, in No. 19,¹ I pointed out that the title, in which Judge Paston is called “ Sir Willham Paston, knight,” could not possibly be contemporaneous ; and the document itself shows that this opinion was well founded. It bears, indeed, a modern endorsement in a handwriting of the last century much to the same effect as Sir John Fenn's heading ; but this, of course, is no authority at all. In the same way I showed that the title printed by Fenn, as a heading to No. 191,² was utterly erroneous, and could not possibly have existed in the original ms. This conclusion is also substantiated by the document, which, I may add, bears in the margin the heading “ Copia,” showing that it was a transcript. The document itself being an important State Paper, there were probably a number of copies made at the time ; but as no others have been preserved, it is only known to us as one of the Paston Letters.

‘ Another State Paper (No. 238),³ of which a copy was likewise sent to John Paston, has a heading which Sir John Fenn very curiously misread. It is printed in this edition⁴ as it stands in the first, *Vadatur* *J. P.*, meaning apparently “ John Paston gives security, or stands pledged.” But it turns out on examination that the reading of the original is *Tradatur* *J. P.* (Let this be delivered to John Paston).

‘ To return to No. 19, it will be seen that I was obliged to reprint from Fenn in the preliminary note a few words which he had found written on the back of the letter, of which it was difficult to make any perfect sense, but which seemed to imply that the bill was delivered to

¹ No. 25 in present edition.

² No. 230 in present edition.

³ No. 282 in present edition.

⁴ That is to say, in the edition published by Mr. Arber in 1875, when it was impossible to correct the text.

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Parliament in the 13th year of Henry vi. I pointed out that there seemed to be some error in this, as no Parliament actually met in the 13th year of Henry vi. The original endorsement, however, is perfectly intelligible and consistent with facts, when once it has been accurately deciphered. The handwriting, indeed, is very crabbed, and for a considerable time I was puzzled; but the words are as follows:—
“Falsa billa Will'i Dallyng ad parlamentum tempore quo Henricus Grey fuit vicecomes, ante annum terciodecimum Regis Henrici vi.”
I find as a matter of fact that Henry Grey was sheriff (*vicecomes*) of Norfolk, first in the 8th and 9th, and again in the 12th and 13th year of Henry vi., and that Parliament sat in November and December of the 12th year (1433); so that the date of the document is one year earlier than that assigned to it.

Again, I ventured to question on internal evidence the authorship of a letter (No. 910)¹ which Fenn had assigned to William Paston, the uncle of Sir John Paston. At the end is the signature “Wyll'm Paston,” with a reference in Fenn to a facsimile engraved in a previous volume. But the evidence seemed to me very strong that the William Paston who wrote this letter was not Sir John's uncle, but his brother. The inspection of the original letter itself has proved to me that I was right. The signatures of the two Williams were not altogether unlike each other; but the signature appended to this letter is unquestionably that of the younger man, not of his uncle; while the facsimile, to which Fenn erroneously refers the reader, is that of the uncle's signature taken from a different letter.

• ‘It may perhaps be conceived that if even these few errors could be detected in Fenn's work by one who had not yet an opportunity of consulting the original mss., a large number of others would be discovered by a minute comparison of the printed volumes with the letters themselves. This suspicion, however, is scarcely borne out by the facts. I cannot profess to have made anything like an exhaustive examination, but so far as I have compared these mss. with the printed text, I find no evidence of more than very occasional inaccuracy, and, generally speaking, in matters very immaterial. On the contrary, an inspection of these last recovered originals has greatly confirmed the opinion, which the originals previously discovered enabled me to form, of the scrupulous fidelity and care with which the letters were first edited. For the most part, not only the words, but the exact spelling of the mss. is preserved, with merely the most trifling variations. Sir John, indeed, was not a trained archivist, and there are what may be called errors of system in his mode of reading, such as, for instance, the omission of contractions that may be held to represent a final *e*, or the rendering a final dash by *s* instead of *es*. In such things the plan

¹ No. 1033 in present edition.

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that he pursued was obvious. But it is manifest that in other respects he is very accurate indeed ; for he had made so careful a study of these mss. that he was quite familiar with most of the ancient modes of handwriting, and, on the whole, very seldom mistook a reading.

‘I may add, that this recent discovery enables me to vindicate his accuracy in one place, even where it seemed before to be very strangely at fault. At the end of Letter iii. of the fifth volume,¹ occurs in the original edition the following postscript:—“I warn you keep this letter close, and lose it not ; rather burn it.” On comparing this letter with the original, the Committee of the Society of Antiquaries, some years ago, were amazed to find that there was no such postscript in the ms., and they were a good deal at a loss to account for its insertion. It now appears, however, that this letter was preserved in duplicate, for among the newly-recovered mss. I discovered a second copy, being a corrected draft, in Margaret Paston’s own hand, at the end of which occurs the p.s. in question.

‘It must be acknowledged, however, that Fenn’s mode of editing was not in all respects quite so satisfactory. Defects, of which no one could reasonably have complained in his own day, are now a serious drawback, especially where the original mss. are no longer accessible. Occasionally, as we have seen, he inserts a heading of his own in the text of a document without any intimation that it is not in the original ; but this is so rare a matter that little need be said about it. A more serious fault is, that in vols. iii. and iv. he has published occasionally mere extracts from a letter as if it were the whole letter. In vols. i. and ii. he avowedly left out passages of little interest, and marked the places where they occurred with asterisks ; but in the two succeeding volumes he has not thought it necessary to be so particular, and he has made the omissions *sub silentio*. For this indeed no one can seriously blame him. The work itself, as he had planned, it, was only a selection of letters from a correspondence, and a liberal use of asterisks would not have helped to make it more interesting to the public. Occasionally he even inverts the order of his extracts, printing a postscript, or part of a postscript, in the body of a letter, and placing at the end some passage that occurs in the letter itself, for no other reason apparently than that it might read better as a whole.

‘Thus Letter 37 of this edition² (vol. iii., Letter vi., in Fenn) is only a brief extract, the original being a very long letter, though the subjects touched upon are not of very great interest. So also Letter 171 (Letter xxx. in Fenn’s third volume)³ is a set of extracts. Letter 182 (vol. iii., Letter xxxix., in Fenn)⁴ is the same ; and the first part

¹ No. 787 of this edition.

² No. 205.

³ No. 51 of present edition.

⁴ No. 221.

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of what is given as a postscript is not a postscript in the original, but actually comes before the first printed paragraph.

‘In short, it was the aim of Sir John Fenn to reproduce with accuracy the spelling and the style of the mss. he had before him ; but as for the substance, to give only so much as he thought would be really interesting. The letters themselves he regarded rather as specimens of epistolary art in the fifteenth century than as a substantial contribution to our knowledge of the times. To have given a complete transcript of every letter, or even a *résumé* in his own words of all that concerned lawsuits, leases, bailiffs’ accounts, and a number of other matters of equally little interest, formed no part of his design ; but the task that he had really set himself he executed with admirable fidelity. He grudged no labour or expense in tracing facsimiles of the signatures, the seals, and the watermarks on the paper. All that could serve to illustrate the manners of the period, either in the contents of the letters, or in the handwritings, or the mode in which they were folded, he esteemed most valuable ; and for these things his edition will continue still to be much prized. But as it was clearly impossible in that day to think of printing the whole correspondence, and determining precisely the chronology by an exhaustive study of minutiae, there seemed no good reason why he should not give two or three paragraphs from a letter without feeling bound to specify that they were merely extracts. Yet even these defects are not of frequent occurrence. The omissions are by no means numerous, and the matter they contain is generally unimportant in itself.’

I took advantage, however, at that time, of the recovery of so many of the missing originals to make a cursory examination for the further testing of Fenn’s editorial accuracy. Two or three letters I compared carefully with the originals throughout, and in others I made special reference to passages where doubts were naturally suggested, either from the obscurity of the words or from any other cause as to the correctness of the reading. The results of this examination I gave in an Appendix at the end of the Introduction to the third volume in 1875, and such errors as I was then able to detect are corrected in the present edition.

Apart from such corrections, the letters are here reproduced as they are printed in previous editions, only in a better order. Fenn’s text has been followed, where no corrections have been found, in all the letters printed by him except those of his fifth volume. The exact transcript given on the left-hand pages of

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Fenn's edition has been strictly adhered to, except that the contractions have been extended; and even in this process we have always been guided by the interpretation given by Fenn himself in his modern version on the right-hand pages. All the other letters in this publication are edited from the original mss., with a very few exceptions in which these cannot be found. In some places, indeed, where the contents of a letter are of very little interest, it has been thought sufficient merely to give an abstract instead of a transcript, placing the abstract in what is believed to be its true place in the series chronologically. Abstracts are also given of documents that are too lengthy and formal to be printed, and, in one case, of a letter sold at a public sale, of which a transcript is not now procurable. In the same manner, wherever I have found the slightest note or reference, whether in Fenn's footnotes or in Blomefield's *Norfolk*—where a few such references may be met with—to any letter that appears originally to have belonged to the Paston correspondence, even though the original be now inaccessible, and our information about the contents the most scanty, the reader will find a notice of all that is known about the missing document in the present publication.

I wish it were in my power to make the present edition better still. But there have been always formidable obstacles to completeness during the thirty years and more since I first took up the business of editing the letters; and though many of these obstacles have been removed, my energies are naturally not quite what they once were. The publishers, however, have thought it time for a more satisfactory edition, and I hope I have done my best. It remains to say a few words about the original mss. and the places in which they now exist.

Of those at Orwell Park I have already spoken. They are contained in three half-bound volumes, and are the originals of the letters printed by Fenn in his first and second volumes.

In the British Museum are contained, first of all, four volumes of the 'Additional mss.' numbered 27,443 to 27,446, consisting of the originals of volume v. of Fenn's edition which was published after his death, and a number of other letters first printed by me in the edition of 1872-75. The nine

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volumes which follow these, viz. 'Additional mss.,' 27,447-27,455, contain also Paston letters but of a later date, and papers relating to Sir John Fenn's publication. There is also a separate volume of 'Paston letters' in 'Additional ms.' 33,597; but these, too, are mostly of later date, only eight being of the fifteenth century. Further, there are the Roydon Hall mss. (including with, I believe, only two exceptions the originals of Fenn's third and fourth volumes), which are contained in the volumes 'Additional,' 34,888-9. And finally there are two Paston letters (included in this edition) in 'Additional ms.' 35,251. These are all that are in the British Museum. Besides these there are, as above noticed, a few mss. in a volume of the Douce Collection and the other stray mss. in the Bodleian Library at Oxford above referred to. At Oxford, also, though not strictly belonging to the Paston family correspondence, are a number of valuable papers, some of which are included in this edition, having an important bearing on the fortunes of the family. These are among the muniments contained in the tower of Magdalene College. As the execution of Sir John Fastolf's will ultimately devolved upon Bishop Waynflete, who, instead of a college at Caister, made provision for a foundation of seven priests and seven poor scholars in Magdalene College, a number of papers relative to the disputes between the executors and the arrangement between the Bishop and John Paston's sons have been preserved among the documents of that college. My attention was first called to these many years ago by Mr. Macray, through whom I obtained copies, in the first place, of some entries from an old index of the deeds relating to Norfolk and Suffolk, which had already been referred to by Chandler in his *Life of Bishop Waynflete*. Afterwards Mr. Macray, who had for some time been engaged in a catalogue of the whole collection, was obliging enough to send me one or two abstracts of his own made from the original documents even before he was able to refer me to his report on the muniments of Magdalene College, printed in the Fourth Report of the Historical mss. Commission. It will be seen that I have transcribed several interesting entries from this source.

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Further, there are just a few Paston letters preserved in Pembroke College, Cambridge.

What remains to be said is only the confession of personal obligations, incurred mainly long ago in connection with this work. The lapse of years since my first edition of these letters was issued, in 1872, naturally reminds me of the loss of various friends who favoured and assisted it in various ways. Among these were the late Colonel Chester, Mr. H. C. Coote, Mr. Richard Almack of Melford, Mr. W. H. Turner of Oxford, Mr. J. H. Gurney, Mr. Fitch, and Mr. L'Estrange of Norwich. On the other hand, I am happy to reckon still among the living Dr. Jessopp, Mr. Aldis Wright, Miss Toulmin Smith, and Mr. J. C. C. Smith, now a retired official of the Probate Office at Somerset House, who all gave me kindly help so long ago. And I have further to declare my obligations to Mr. Walter Rye, a gentleman well known as the best living authority on Norfolk topography and families, for most friendly and useful assistance in the way of notes and suggestions towards later editions. I have also quite recently received help (confessed elsewhere) from the Rev. William Hudson of Eastbourne, and have further had my attention called to significant documents in the Public Record Office by some of my old friends and colleagues there.

But among the departed, there is one whom I have reserved for mention by himself, not so much for any particular assistance given me long ago in the preparation of this work as for the previous education in historical study which I feel that I received from intercourse with him. I had been years engaged in the public service, and always thought that the records of the realm ought to be better utilised than they were in those days for the purpose of historical research; but how even Record clerks were to become well acquainted with them under the conditions then existing it was difficult to see. For each of us had his own little task assigned to him, and had really very little opportunity, if ever so willing, to go beyond it. Nor was there too much encouragement given under official regulations to anything like historical training; for the Record Office, when

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first constituted, was supposed to exist for the sake of litigants who wanted copies of documents, rather than for that of historical students who wanted to read them with other objects. Besides, people did not generally imagine then that past history could be rewritten, except by able and graphic pens which, perhaps, could put new life into old facts without a very large amount of additional research. The idea that the country contained vast stores of long-neglected letters capable of yielding up copious new information to supplement and to correct the old story of our national annals had hardly dawned upon anybody—least of all, perhaps, on humble officials bound to furnish office copies of ‘fines’ and ‘recoveries’ and antiquated legal processes. Even the State Papers, at that time, were kept apart from the Public Records, and could only be consulted by special permission from a Secretary of State. No clerk, either of the Record or State Paper Department, knew more than was contained within his own particular province. But by the wise policy of the late Lord Romilly these red-tape bands were ultimately broken; and just at that time I had the rare privilege of being appointed to assist the late Reverend John S. Brewer in one of the great works which his Lordship set on foot to enable the British public to understand the value of its own mss. It was to this association with Mr. Brewer that I feel I owe all my historical training, and I made some acknowledgment of that debt in 1872 when I dedicated to him my first edition of this work.

INTRODUCTION

The Paston Family

THE little village of Paston, in Norfolk, lies not far from the sea, where the land descends gently behind the elevated ground of Mundesley, and the line of the shore, proceeding eastward from Cromer, begins to tend a little more towards the south. It is about twenty miles north of Norwich. The country, though destitute of any marked features, is not uninteresting. Southwards, where it is low and flat, the ruins of Bromholm Priory attract attention. But, on the whole, it is an out-of-the-way district, unapproachable by sea, for the coast is dangerous, and offering few attractions to those who visit it by land. Indeed, till quite recently, no railways had come near it, and the means of access were not superabundant. Here, however, lived for several centuries a family which took its surname from the place, and whose private correspondence at one particular epoch sheds no inconsiderable light on the annals of their country.

Of the early history of this family our notices are scanty and uncertain. A Norman descent was claimed for them not only by the county historian Blomefield but by the laborious herald, Francis Sandford, author of a *Genealogical History of the Kings of England*, on the evidence of documents which have been since dispersed. Sandford's genealogy of the Paston family was drawn up in the year 1674, just after Sir Robert Paston had been raised to the peerage by the title of Viscount Yarmouth, before he was promoted to the higher dignity of earl. It still remains in ms. ; but a pretty full account of it will be found in the fourth volume of *Norfolk Archaeology*. The

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story of the early ancestors, however, does not concern us here. At the time the family and their doings become best known to us, their social position was merely that of small gentry. One of these, however, was a justice of the Common Pleas in the reign of Henry VI., whose uprightness of conduct caused him to be commonly spoken of by the name of the Good Judge. He had a son, John, brought up to the law, who became executor to the old soldier and statesman, Sir John Fastolf. This John Paston had a considerable family, of whom the two eldest sons, strange to say, both bore the same Christian name as their father. They were also both of them soldiers, and each, in his time, attained the dignity of knighthood. But of them and their father, and their grandfather the judge, we shall have more to say presently. After them came Sir William Paston, a lawyer, one of whose daughters, Eleanor, married Thomas Manners, first Earl of Rutland. He had also two sons, of whom the first, Erasmus, died before him. The second, whose name was Clement, was perhaps the most illustrious of the whole line. Born at Paston Hall, in the immediate neighbourhood of the sea, he had an early love for ships, was admitted when young into the naval service of Henry VIII., and became a great commander. In an engagement with the French he captured their admiral, the Baron de St. Blankheare or Blankard, and kept him prisoner at Caister, near Yarmouth, till he had paid 7000 crowns for his ransom, besides giving up a number of valuables contained in his ship. Of this event Clement Paston preserved till his death a curious memorial among his household utensils, and we read in his will that he bequeathed to his nephew his 'standing bowl called the Baron St. Blankheare.' He served also by land as well as by sea, and was with the Protector Somerset in Scotland at the battle of Pinkie. In Mary's reign he is said to have been the person to whom the rebel Sir Thomas Wyatt surrendered. In his later years he was more peacefully occupied in building a fine family seat at Oxnead. He lived till near the close of the reign of Elizabeth, having earned golden opinions from each of the sovereigns under whom he served. 'Henry VIII.,' we are told, 'called him his champion; the Duke of Somerset,

Clement
Paston.

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Protector in King Edward's reign, called him his soldier; Queen Mary, her seaman; and Queen Elizabeth, her father.'¹

Clement Paston died childless, and was succeeded by his nephew, another Sir William, whose name is well known in Norfolk as the founder of North Walsham School, and whose effigy in armour is visible in North Walsham Church, with a Latin epitaph recording acts of munificence on his part, not only to the grammar-school, but also to the cathedrals of Bath and Norwich, to Gonville and Caius College, Cambridge, and to the poor at Yarmouth.

From Sir William the line descended through Christopher Paston (who, on succeeding his father, was found to be an idiot, incapable of managing his affairs), Sir Edmund and Sir William Paston, Baronet, to Sir Robert Paston, who, in the reign of Charles II., was created, first Viscount and afterwards Earl of Yarmouth. He is described as a person of good learning, and a traveller who brought home a number of curiosities collected in foreign countries. Before he was raised to the peerage he sat in Parliament for Castle Rising. It was he who, in the year 1664, was bold enough to propose to the House of Commons the unprecedented grant of two and a half millions to the king for a war against the Dutch.² This act not unnaturally brought him into favour with the Court, and paved the way for his advancement. Another incident in his life is too remarkable to be passed over. On the 9th of August 1676 he was waylaid while travelling in the night-time by a band of ruffians, who shot five bullets into his coach, one of which entered his body. The wound, however, was not mortal, and he lived six years longer.

His relations with the Court were not altogether of good omen for his family. We are told that he once entertained the king and queen, and the king's brother, James, Duke of York, with a number of the nobility, at his family seat at Oxnead. His son, William, who became second Earl of Yarmouth, married the Lady Charlotte Boyle, one of King Charles's natural daughters. This great alliance, and all the magnificence

¹ Blomefield's *History of Norfolk*, vi. 487, 488.

² Clarendon's *Life*, ii. 440.

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it involved, was too much for his slender fortunes. Earl William was led into a profuse expenditure which involved him in pecuniary difficulties. He soon deeply encumbered his inheritance; the library and the curiosities collected by his accomplished father had to be sold. The magnificent seat at Oxnead was allowed to fall into ruin; and on the death of this second earl it was pulled down, and the materials turned into money to satisfy his creditors. The family line itself came to an end, for Earl William had survived all his male issue, and the title became extinct.

Thrifty
ancestors.

From this brief summary of the family history we must now turn to a more specific account of William Paston, the old judge in the days of Henry VI., and of his children. Of them, and of their more immediate ancestor Clement, we have a description drawn by an unfriendly hand some time after the judge's death; and as it is, notwithstanding its bias, our sole authority for some facts which should engage our attention at the outset, we cannot do better than quote the paper at length:—

'A remembrance of the worshipful kin and ancestry of Paston, born in Paston in Gemyngham Soken.

'First, There was one Clement Paston dwelling in Paston, and he was a good, plain husband (*i.e.* husbandman), and lived upon his land that he had in Paston, and kept thereon a plough all times in the year, and sometimes in barlysell two ploughs. The said Clement yede (*i.e.* went) at one plough both winter and summer, and he rode to mill on the bare horseback with his corn under him, and brought home meal again under him, and also drove his cart with divers corns to Wynterton to sell, as a good husband[man] ought to do. Also, he had in Paston a five score or a six score acres of land at the most, and much thereof bond land to Gemyngham Hall, with a little poor water-mill running by a little river there, as it appeareth there of old time. Other livelode nor manors had he none there, nor in none other place.

'And he wedded Geoffrey of Somerton (whose true surname is Gonedl)'s sister, which was a bondwoman, to whom it is not unknown (to the prior of Bromholm and Bakton also, as it is said) if that men will inquire.

'And as for Geoffrey Somerton, he was bond also, to whom, etc.,

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he was both a pardoner and an attorney ; and then was a good world, for he gathered many pence and half-pence, and therewith he made a fair chapel at Somerton, as it appeareth, etc.

‘Also, the said Clement had a son William, which that he set to school, and often he borrowed money to find him to school ; and after that he yede (went) to court with the help of Geoffrey Somerton, his uncle, and learned the law, and there begat he much good ; and then he was made a serjeant, and afterwards made a justice, and a right cunning man in the law. And he purchased much land in Paston, and also he purchased the moiety of the fifth part of the manor of Bakton, called either Latymer’s, or Styward’s, or Huntingfield, which moiety stretched into Paston ; and so with it, and with another part of the said five parts he hath seignory in Paston, but no manor place ; and thereby would John Paston, son to the said William, make himself a lordship there, to the Duke (qu. Duchy ?) of Lancaster’s great hurt.

‘And the said John would and hath untruly increased him by one tenant, as where that the prior of Bromholm borrowed money of the said William for to pay withal his dismes, the said William would not lend it him unless the said prior would mortgage to the said William one John Albon, the said prior’s bondsman, dwelling in Paston, which was a stiff churl and a thrifty man, and would not obey him unto the said William ; and for that cause, and for evil will that the said William had unto him, he desired him of the prior. And now after the death of the said William, the said John Albon died ; and now John Paston, son to the said William, by force of the mortgage sent for the son of the said John Albon to Norwich.’

The reader will probably be of opinion that several of the facts here recorded are by no means so discreditable to the Pastons as the writer certainly intended that they should appear. The object of the whole paper is to cast a stigma on the family in general, as a crafty, money-getting race who had risen above their natural rank and station. It is insinuated that they were originally mere *adscripti glebæ* ; that Clement Paston was only a thrifty husbandman (note the original signification of the word, ‘housebondman’), that he married a bondwoman, and transmitted to his son and grandson lands held by a servile tenure ; and the writer further contends that they had no manorial rights in Paston, although William Paston, the justice, had purchased land in the neighbourhood, and his son John was endeavouring to ‘make himself a lordship’ there to the prejudice of the rights of the Duchy of Lancaster.

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It is altogether a singular statement, very interesting in its bearing upon the obscure question of the origin of copyholds, and the gradual emancipation of villeins. Whether it be true or false is another question; if true, it appears to discredit entirely the supposed Norman ancestry of the Pastons; but the remarkable thing is that an imputation of this kind could have been preferred against a family who, whatever may have been their origin, had certainly long before obtained a recognised position in the county.

William
Paston the
justice.

It would appear, however, from the accuser's own statement, that Clement Paston, the father of the 'justice, was an industrious peasant, who tilled his own land, and who set so high a value on a good education that he borrowed money to keep his son at school. With the help of his brother-in-law, he also sent the young man to London to learn the law, a profession which in that day, as in the present, was considered to afford an excellent education for a gentleman.¹ The good education was not thrown away. William Paston rose in the profession and became one of its ornaments. He improved his fortunes by marrying Agnes, daughter and heiress of Sir Edmund Berry of Harlingbury Hall, in Hertfordshire. Some years before his father's death, Richard Courtenay, Bishop of Norwich, appointed him his steward. In 1414 he was called in, along with two others, to mediate in a dispute which had for some time prevailed in the city of Norwich, as to the mode in which the mayors should be elected; and he had the good fortune with his coadjutors to adjust the matter satisfactorily.² In 1421 he was made a serjeant, and in 1429 a judge of the Common Pleas.³ Before that time we find him acting as trustee for various properties, as of the Appleyard family in Dunston,⁴ of Sir Richard Carbonel,⁵ Sir Simon Felbrigg,⁶ John

¹ 'Here everything good and virtuous is to be learned; all vice is discouraged and banished. So that knights, barons, and the greatest nobility of the kingdom, often place their children in those Inns of Court; not so much to make the law their study, much less to live by the profession (having large patrimonies of their own), but to form their manners, and to preserve them from the contagion of vice.'—*Fortescue de Laudibus Legum Anglie* (ed. Apos), 185.

² Blomefield's *Norfolk*, iii. 126.

⁴ Blomefield, v. 56.

⁶ *Ibid.* viii. 109.

³ Dugdale's *Origines*.

⁵ *Ibid.* ii. 257, 285; vii. 217.

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Berney,¹ Sir John Rothenhale,² Sir John Gyney of Dilham,³ Lord Cobham,⁴ and Ralph Lord Cromwell.⁵ He was also executor to Sir William Calthorp.⁶ The confidence reposed in him by so many different persons is a remarkable testimony to the esteem in which he was held. He was, moreover, appointed one of the king's council for the duchy of Lancaster, and on his elevation to the judicial bench the king gave him a salary of 110 marks (£73, 6s. 8d.), with two robes more than the ordinary allowance of the judges.

In addition to all this he is supposed to have been a knight, and is called Sir William Paston in Fenn's publication. But this dignity was never conferred upon him in his own day. There is, indeed, one paper printed by Fenn from the MSS. ^{Not a knight.} which were for a long time missing that speaks of him in the heading as 'Sir William Paston, Knight'; but the original ms. since recovered shows that the heading so printed is taken from an endorsement of a more modern date. This was, indeed, a confident surmise of mine at a time when the ms. was inaccessible; for it was clear that William Paston never could have been knighted. His name occurs over and over again on the patent rolls of Henry VI. He is named in at least one commission of the peace every year to his death, and in a good many other commissions besides, as justices invariably were. He is named also in many of the other papers of the same collection, simply as William Paston of Paston, Esquire; and even in the body of the petition so inaccurately headed, he is simply styled William Paston, one of the justices. Nor does there appear to be any other foundation for the error than that single endorsement. He left a name behind him of so great repute, that Fuller could not help giving him a place among his 'Worthies of England,' although, as he remarks, it did not fall strictly within the plan of his work to notice a lawyer who was neither a chief justice nor an author.

Of his personal character we are entitled to form a favour- ^{His} character

¹ Blomefield, x. 67.
² Blomefield, vi. 353.
⁵ *Ibid.* v. 27.

³ See Letter 13.
⁴ *Ibid.* x. 176.
⁶ *Ibid.* vi. 517.

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able estimate, not only from the honourable name conferred on him as a judge, but also from the evidences already alluded to of the general confidence felt in his integrity. True it is that among these papers we have a complaint against him for accepting fees and pensions when he was justice, from various persons in the counties of Norfolk and Suffolk ;¹ but this only proves, what we might have expected, that he had enemies and cavillers as well as friends. Of the justice of the charges in themselves we have no means of forming an independent judgment ; but in days when all England, and not least so the county of Norfolk, was full of party spirit and contention, it was not likely that a man in the position of William Paston should escape imputations of partiality and one-sidedness. Before his elevation to the bench, he had already suffered for doing his duty to more than one client. Having defended the Prior of Norwich in an action brought against him by a certain Walter Aslak, touching the advowson of the church of Sprouston, the latter appears to have pursued him with unrelenting hatred. The county of Norfolk was at the time ringing with the news of an outrage committed by a band of unknown rioters at Wighton. On the last day of the year 1423, one John Grys of Wighton had been entertaining company, and was heated with 'wassail,' when he was suddenly attacked in his own house. He and his son and a servant were carried a mile from home and led to a pair of gallows, where it was intended to hang them ; but as ropes were not at once to be had, they were murdered in another fashion, and their bodies horribly mutilated before death.² For nearly three years the murderers went unpunished, while the country stood aghast at the crime. But while it was still recent, at a county court holden at Norwich, Aslak caused a number of bills, partly in rhyme, to be posted on the gates of Norwich priory, and of the Grey Friars, and some of the city gates, distinctly threatening William Paston with the fate of John

Outrage by
William
Aslak.

¹ No. 25.

² See No. 6. Compare J. Amundesham Annales, 16. In the latter Grys's Christian name is given as William, and the outrage is said to have taken place on Christmas Day instead of New Year's Eve.

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Grys, and insinuating that even worse things were in store for him.

Against open threats like these William Paston of course appealed to the law ; but law in those days was but a feeble protector. Aslak had the powerful support of Sir Thomas Erpingham, by which he was enabled not only to evade the execution of sentence passed against him, but even to continue his persecution. He found means to deprive Paston of the favour of the Duke of Norfolk, got bills introduced in Parliament to his prejudice, and made it unsafe for him to stir abroad. The whole country appears to have been disorganised by faction ; quarrels at that very time were rife in the king's council-chamber itself, between Humphrey, Duke of Gloucester, the Protector, and Bishop Beaufort ; nor was anything so firmly established by authority but that hopes might be entertained of setting it aside by favour.

William Paston had two other enemies at this time. 'I pray the Holy Trinity,' he writes in one place, 'deliver me of my three adversaries, this cursed Bishop for Bromholm, Aslak for Sprouston, and Julian Herberd for Thornham.' The bishop whom he mentions with so much vehemence, claimed to be a kinsman of his own, and named himself John Paston, but William Paston denied the relationship, maintaining that his true name was John Wortes. He appears to have been in the first place a monk of Bromholm, the prior of which monastery having brought an action against him as an apostate from his order, engaged William Paston as his counsel in the prosecution. Wortes, however, escaped abroad, and brought the matter before the spiritual jurisdiction of the court of Rome, bringing actions against both the prior and William Paston, the latter of whom he got condemned in a penalty of £205. On this William Paston was advised by friends at Rome to come at once to an arrangement with him ; but he determined to contest the validity of the sentence, the result of which appears to have been that he was excommunicated. His adversary, meanwhile, found interest to get himself appointed and consecrated Bishop of Cork ; and though his name does not appear in the ordinary lists of bishops of

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that see, the Vatican archives show that he was provided to it on the 23rd May 1425.¹

As for Julian Herberd, William Paston's third enemy, we have hitherto known nothing of her but the name. It appears, however, by some Chancery proceedings² recently discovered, that Julian Herberd was a widow who considered herself to have been wronged by Paston as regards her mother's inheritance, of which he had kept her from the full use for no less than forty years. Paston had, indeed, made her some pecuniary offers which she did not think sufficient, and she had attempted to pursue her rights against him at a Parliament at Westminster, when he caused her to be imprisoned in the King's Bench. There, as she grievously complains, she lay a year, suffering much and 'nigh dead from cold, hunger, and thirst.' The case was apparently one of parliamentary privilege, which she had violated by her attempted action, though she adds that he threatened to keep her in prison for life if she would not release to him her right, and give him a full acquittance. She also accuses him of having actually procured one from her by coercion, and of having by false suggestion to the Lord Chancellor caused her committal to the Fleet, where she was kept for a whole year, 'beaten, fettered, and stocked,' that no man might know where she was. At another time, also, she says he kept her three years in the pit within Norwich Castle on starvation diet. The accusation culminates in a charge which seems really inconceivable :—

'Item, the said Paston did bring her out of the Round House into your Palace and brought her afore your Chief Justice, and then the said Paston commanded certain persons to bring her to prison to your Bench, and bade at his peril certain persons to smite the brain out of her head for suing of her right; and there being in grievous prison during half year and more, fettered and chained, suffering cold, hunger, thirst, in point of death, God and ye, gracious King, help her to her right.'

¹ Nos. 10, 11, 12. Maziere Brady in his book on the *Episcopal Succession*, vol. ii. p. 79, gives the following entry from the archives of the Vatican :—

'Die 10^o kal. Junii 1425, provisum est ecclesie Corcagen. in Hibernia, vacanti per mortem Milis (*Milonis*), de persona Ven. Fratis Johannis Pasten, prioris conventualis Prioratus Bromholm, Ordinis Chuniacensis.'—*Vatican*.

Also on Sept. 14, 1425, 'Johannes Paston, Dei gratia electus Korkagen, solvit personaliter 120 florenos auri,' etc.—*Obbligazioni*.

² Printed in Appendix to this introduction.

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What we are to think of all this, not having Paston's reply, I cannot say.

Scanty and disconnected as are the notices we possess of William Paston, we must not pass by without comment his letter to the vicar of the abbot of Clugny, in behalf of Bromholm Priory.¹ It was not, indeed, the only occasion² on which we find that he exerted himself in behalf of this ancient monastery, within a mile of which, he tells us, he was born. Bromholm Priory was, in fact, about that distance from Paston Hall, as miles were reckoned then (though it is nearer two of our statute miles), and must have been regarded with special interest by the family. It was there that John Paston, the son of the judge, was sumptuously buried in the reign of Edward iv. It was a monastery of some celebrity. Though not, at least in its latter days, one of the most wealthy religious houses, for it fell among the smaller monasteries at the first parliamentary suppression of Henry viii., its ruins still attest that it was by no means insignificant. Situated by the seashore, with a flat, unbroken country round about, they are conspicuous from a distance both by sea and land. Among the numerous monasteries of Norfolk, none but Walsingham was more visited by strangers, and many of the pilgrims to Walsingham turned aside on their way homeward to visit the Rood of Bromholm. For this was a very special treasure brought from Constantinople two hundred years before, and composed of a portion of the wood of the true Cross. Many were the miracles recorded to have been wrought in the monastery since that precious relic was set up; the blind had received their sight, the lame had walked, and lepers had been cleansed; even the dead had been restored to life. It was impossible that a native of Paston could be uninterested in a place so renowned throughout all England.

Yet about this time the priory must have been less prosperous than it had once been. Its government and constitution were in a transition state. It was one of the twenty-eight monasteries in England which belonged to the Cluniac order, and were originally subject to the visitation of the Abbot of

¹ No. 20.

² See No. 47, p. 56.

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Clugny in France. Subjection to a foreign head did not tend at any time to make them popular in this country, and in the reign of Henry v. that connection was suddenly broken off. An act was passed suppressing at once all the alien priories, or religious houses that acknowledged foreign superiors. The priors of several of the Cluniac monasteries took out new foundation charters, and attached themselves to other orders. Those that continued signed deeds of surrender, and their monasteries were taken into the king's hands. About nine or ten years later, however, it would seem that a vicar of the Abbot of Clugny was allowed to visit England, and to him William Paston made an appeal to profess in due form a number of virtuous young men who had joined the priory in the interval.

From the statement already quoted as to the history of the Paston family, it appears that William Paston purchased a good deal of land in Paston besides what had originally belonged to them. It was evidently his intention to make a family residence, and transmit to his sons a more absolute ownership in the land from which they derived their name. Much of his father's land in Paston had been copyhold belonging to the manor of Gimingham Hall; but William Paston bought 'a moiety of the fifth part' of the adjacent manor of Bacton, with free land extending into Paston. He thus established himself as undoubted lord of the greater part of the soil, and must have felt a pardonable pride in the improved position he thereby bequeathed to his descendants. At Paston he apparently contemplated building a manor house; for he made inquiry about getting stone from Yorkshire conveyed by sea to Mundesley, where there was then a small harbour¹ within two miles of Paston village. To carry out the improvements he proposed to make there and on other parts of his property, he obtained licence from the king a year before his death to divert two public highways, the one at Paston and the other at Oxnead, a little from their course.² The alterations do not appear to have been of a nature that any one had a right to complain of. Full inquiry was made beforehand by

Highways
diverted.

¹ No. 7.

² Patent 6th July, 21 Henry VI., p. 1, m. 10.

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an inquisition *ad quod damnum*¹ whether they would be to the prejudice of neighbours. At Paston the extent of roadway which he obtained leave to enclose was only thirty-two and a half perches in length by one perch in breadth. It ran on the south side of his mansion, and he agreed to make a new highway of the same dimensions on the north side. The vicar of Paston seems to have been the neighbour principally concerned in the course that the new thoroughfare was to take, and all particulars had been arranged with him a few months before William Paston died.

But it would seem upon the judge's death his great designs were for some time interrupted. The family were looked upon by many as upstarts, and young John Paston, who was only four-and-twenty, though bred to the law like his father, could not expect to possess the same weight and influence with his neighbours. A claim was revived by the lord of Gimingham Hall to a rent of eight shillings from one of Paston's tenants, which had never been demanded so long as the judge was alive. The vicar of Paston pulled up the 'doles' which were set to mark the new highway, and various other disturbances were committed by the neighbours. It seems to have required all the energies not only of John Paston upon the spot, but also of his brother Edmund, who was in London at Clifford's Inn, to secure the rights of the family; insomuch that their mother, in writing to the latter of the opposition to which they had been exposed, expresses a fear lest she should make him weary of Paston.² And, indeed, if Edmund Paston was not weary of the dispute, his mother herself had cause to be; for it not only lasted years after this, but for some years after Edmund Paston was dead the stopping of the king's highway was a fruitful theme of remonstrance. When Agnes Paston built a wall it was thrown down before it was half completed; threats of heavy amercements were addressed to her in church, and the men of Paston spoke of showing their displeasure when they went in public procession on St. Mark's day.³

The Manor of Oxnead, which in later times became the Oxnead.

¹ *Inquis. a. q. d.* (arranged with *Inquisitiones post-mortem*), 21 Henry VI., No. 53.

² Letter 62.

³ Nos. 194, 195, 196.

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principal seat of the family, was also among the possessions purchased by Judge Paston. He bought it of William Clopton of Long Melford, and settled it upon Agnes, his wife. But after his death her right to it was disputed. It had formerly belonged to a family of the name of Hauteyn, and there suddenly started up a claimant in the person of one John Hauteyn, whose right to hold property of any kind was supposed to have been entirely annulled by the fact of his having entered the Order of Carmelite Friars. It seems, however, he had succeeded in getting from the Pope a dispensation to renounce the Order on the plea that he had been forced into it against his will when he was under age, and being thus restored by the ecclesiastical power to the condition of a layman, he next appealed to the civil courts to get back his inheritance. This danger must have been seen by William Paston before his death, and a paper was drawn up (No. 46) to show that Hauteyn had been released from his vows on false pretences. Nevertheless he pursued his claim at law, and although he complained of the difficulty of getting counsel (owing, as he himself intimated, to the respect in which the bar held the memory of Judge Paston, and the fact that his son John was one of their own members), he seems to have had hopes of succeeding through the influence of the Duke of Suffolk. His suit, however, had not been brought to a successful determination at the date of Suffolk's fall. It was still going on in the succeeding summer; but as we hear no more of it after that, we may presume that the altered state of the political world induced him to abandon it. According to Blomefield, he and others of the Hauteyn family released their rights to Agnes Paston 'about 1449'; but this date is certainly at least a year too early.¹

William Paston also purchased various other lands in the county of Norfolk.² Among others, he purchased from

¹ Nos. 63, 87, 93, 128; Blomefield, vi. 479.

² It would appear that he had also an estate at Therfield, in Hertfordshire, as shown by an inscription in the east window of the north aisle of the parish church, in which were portraits of himself and his wife underwritten with the words, *Orate pro animabus domini Willielmi Paston et Agnetis uxoris ejus, benefactorum hujus ecclesie* (Chauncey's *Hertfordshire*, 88).

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Thomas Chaucer, a son of the famous poet, the manor of Gresham,¹ of which we shall have something more to say a little later. We also find that in the fourth year of Henry vi. he obtained, in conjunction with one Thomas Poye, a grant of a market, fair and free-warren in his manor of Shipden which had belonged to his father Clement before him.²

The notices of John Paston begin when he was on the eve of marrying, a few years before his father's death. The match was evidently one that was arranged by the parents, after the fashion of the times. The lady was of a good family—daughter and heiress of John Mauteby, Esq. of Mauteby in Norfolk. The friends on both sides must have been satisfied that the union was a good one; for it had the one great merit which was then considered everything—it was no disparagement to the fortunes or the rank of either family. Beyond this hard business view, indeed, might have been found better arguments to recommend it; but English men and women in those days did not read novels, and had no great notion of cultivating sentiment for its own sake. Agnes Paston writes to her husband to intimate 'the bringing home of the gentlewoman from Reedham,' according to the arrangement he had made about it. It was, in her words, 'the first acquaintance between John Paston and the said gentlewoman' (one would think Dame Agnes must have learned from her husband to express herself with something of the formality of a lawyer); and we are glad to find that the young lady's sense of propriety did not spoil her natural affability. 'She made him gentle cheer in gentle wise, and said he was verily your son; and so I hope there shall need no great treaty between them.' Finally the judge is requested by his wife to buy a gown for his future daughter-in-law, to which her mother would add a goodly fur. 'The gown,' says Dame Agnes, 'needeth for to

¹ Blomefield, viii. 127.

² *Patent Roll*, 4 Henry vi., p. 2, m. 13; Blomefield, viii. 102. A further notice relating to Judge Paston has been given me by Sir James Ramsay in the following memorandum:—'£432 for arrears of salary due to late William Paston, paid to his executor, John Paston, from *parva custuma* of the port of London. L.T.R. Enrolled Customs Account of Henry vi. (entry 8 Nov. 37 Hen. vi.—Mich. 38 Hen. vi.)' in Public Record Office. So the arrears of the judge's salary were only paid in 1458, fourteen years after his death.

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be had ; and of colour it would be a goodly blue, or else a bright sanguine.'¹

acter
wife. 'The gentlewoman' thus introduced to John Paston and the reader proved to the former a most devoted wife during about six-and-twenty years of married life. Her letters to her husband form no inconsiderable portion of the correspondence in these volumes, and it is impossible to peruse them without being convinced that the writer was a woman not only of great force of character, but of truly affectionate nature. It is true the ordinary style of these epistles is very different from that of wives addressing their husbands nowadays. There are no conventional expressions of tenderness—the conventionality of the age seems to have required not tenderness but humility on the part of women towards the head of a family ; the subjects of the letters, too, are for the most part matters of pure business ; yet the genuine womanly nature is seen bursting out whenever there is occasion to call it forth. Very early in the correspondence we meet with a letter of hers (No. 47) which in itself is pretty sufficient evidence that women, at least, were human in the fifteenth century. Her husband was at the time in London just beginning to recover from an illness which seems to have been occasioned by some injury he had met with. His mother had vowed to give an image of wax the weight of himself to Our Lady of Walsingham on his recovery, and Margaret to go on a pilgrimage thither, and also to St. Leonard's at Norwich. That she did not undertake a journey of a hundred miles to do more efficient service was certainly not owing to any want of will on her part. The difficulties of travelling in those days, and the care of a young child, sufficiently account for her remaining in Norfolk ; but apparently even these considerations would not have deterred her from the journey had she not been dissuaded from it by others. 'If I might have had my will,' she writes, 'I should have seen you ere this time. I would ye were at home, if it were for your ease (and your sore might be as well looked to here as it is there ye be), now liever than a gown, though it were

¹ No. 34.

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of scarlet.' Could the sincerity of a woman's wishes be more artlessly expressed?

Let not the reader suppose, however, that Margaret Paston's acknowledged love of a scarlet gown indicates anything like frivolity of character or inordinate love of display. We have little reason to believe from her correspondence that dress was a ruling passion. The chief aim discernible in all she writes—the chief motive that influenced everything she did—was simply the desire to give her husband satisfaction. And her will to do him service was, in general, only equalled by her ability. During term time, when John Paston was in London, she was his agent at home. It was she who negotiated with farmers, receiving overtures for leases and threats of lawsuits, and reported to her husband everything that might affect his interests, with the news of the country generally. Nor were threats always the worst thing she had to encounter on his account. For even domestic life, in those days, was not always exempt from violence; and there were at least two occasions when Margaret had to endure, in her husband's absence, things that a woman ought to have been spared.

One of these occasions we proceed to notice. The manor ^{The} of Gresham, which William Paston had purchased from the son ^{Manor of} of the poet Chaucer, had been in the days of Edward II. the property of one Edmund Bacon, who obtained from that king a licence to embattle the manor-house. It descended from him to his two daughters, Margaret and Margery. The former became the wife of Sir William de Kerdeston, and her rights were inherited by a daughter named Maud, who married Sir John Burghersh.¹ This moiety came to Thomas Chaucer by his marriage with Maud Burghersh, the daughter of the Maud just mentioned. The other became at first the property of Sir William Molynes, who married Bacon's second daughter Margery. But this Margery having survived her husband, made a settlement of it by will, according to which the reversion of it after the decease of one Philip Vache and

¹ *Inquisitions post-mortem*, 27 Edw. III. No. 28, and 30 Edw. III., No. 42. Blomefield inaccurately makes Maud, whom Sir John Burghersh married, the daughter of Edmond Bacon instead of his granddaughter.—(*Hist. of Norf.* viii. 127.)

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of Elizabeth his wife, was to be sold ; and William, son of Robert Molynes, was to have the first option of purchase. This William Molynes at first declined to buy it, being apparently in want of funds ; but he afterwards got one Thomas Fauconer, a London merchant, to advance the purchase-money, on an agreement that his son should marry Fauconer's daughter. The marriage, however, never took effect ; the Molynes family lost all claim upon the manor, and the same Thomas Chaucer who acquired the other moiety by his wife, purchased this moiety also, and conveyed both to William Paston.¹

The whole manor of Gresham thus descended to John Paston, as his father's heir. But a few years after his father's death he was troubled in the possession of it by Robert Hungerford, son of Lord Hungerford, who, having married Eleanor Molynes, a descendant of the Sir William Molynes above referred to, had been raised to the peerage as Lord Molynes, and laid claim to the whole inheritance of the Molynes family. He was still but a young man,² heir-apparent to another barony ; and, with the prospect of a great inheritance both from his father and from his mother, who was the daughter and sole heir of William Lord Bottraux, he certainly had little occasion to covet lands that were not his own. Nevertheless he listened to the counsels of John Heydon of Baconsthorpe, a lawyer who had been sheriff and also recorder of Norwich, and whom the gentry of Norfolk looked upon with anything but goodwill, regarding him as the ready tool of every powerful oppressor. His chief patron, with whom his name was constantly coupled, was Sir Thomas Tuddenham ; and the two together, especially during the unpopular ministry of the Duke of Suffolk, exercised an ascendancy in the county, of which we hear very numerous

¹ No. 16. Blomefield gives a somewhat different account, founded doubtless on documents to which I have not had access. He says that Margery, widow of Sir William Molynes, settled her portion of the manor on one Thomas de la Lynde, with the consent of her son Sir William Molynes, who resigned all claim to it.

² According to the inquisition taken on his father's death (*Inq. p. m.*, 37 Hen. vi., No. 17), he was over thirty in June 1459. If we are to understand that he was then only in his thirty-first year, he could not have been twenty when he first dispossessed John Paston of Gresham. But 'over thirty' may perhaps mean two or three years over.

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complaints. Heydon persuaded Lord Molynes that he had a good claim to the manor of Gresham ; and Lord Molynes, without more ado, went in and took possession on the 17th of February 1448.¹

To recover his rights against a powerful young nobleman connected with various wealthy and influential families required, as John Paston knew, the exercise of great discretion. Instead of resorting at once to an action at law, he made representations to Lord Molynes and his legal advisers to show how indefensible was the title they had set up for him. He secured some attention for his remonstrances by the intercession of Waynflete, bishop of Winchester.² Conferences took place between the counsel of both parties during the following summer, and the weakness of Lord Molynes' case was practically confessed by his solicitors, who in the end told Paston to apply to his lordship personally. Paston accordingly, at no small expense to himself, went and waited upon him at Salisbury and elsewhere, but was continually put off. At last, on the 6th of October, not, as I believe, the same year, but the year following, he succeeded in doing to Lord Molynes to some extent what Lord Molynes had already done to him. He took possession of 'a mansion within the said town,' and occupied it himself, having doubtless a sufficiency of servants to guard against any sudden surprise. After this fashion he maintained his rights for a period of over three months. The usual residence of Lord Molynes was in Wiltshire, and his agents probably did not like the responsibility of attempting to remove John Paston without express orders from their master. But on the 28th of January 1450, while John Paston was away in London on business, there came before the mansion at Gresham a company of a thousand persons, sent to recover possession for Lord Molynes. They were armed with cuirasses and brigandines, with guns, bows, and arrows, and with every kind of offensive and defensive armour. They had also mining instruments, long poles with hooks, called cromes, used for pulling down houses, ladders, pickaxes, and pans with fire burning in them.

¹ No. 102.

² No. 79.

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With these formidable implements they beset the house, at that time occupied only by Margaret Paston and twelve other persons; and having broken open the outer gates, they set to work undermining the very chamber in which Margaret was. Resistance under the circumstances was impossible. Margaret was forcibly carried out. The house was then thoroughly rifled of all that it contained—property estimated by John Paston at £200¹—the doorposts were cut asunder, and the place was left little better than a ruin. Further, that there might be no mistake about the spirit in which the outrage was perpetrated, the rioters declared openly, that if they had found John Paston, or his friend John Damme, who had aided him with his counsel about these matters, neither of them should have escaped alive.²

John Paston drew up a petition for redress to Parliament, and another to the Lord Chancellor; but it was some months before his case could be attended to, for that year was one of confusion and disorder unparalleled. It was that year, in fact, which may be said to have witnessed the first outbreak of a long, intermittent civil war. History has not passed over in silence the troubles of 1450. The rebellion of Jack Cade, and the murder of two bishops in different parts of the country, were facts which no historian could treat as wholly insignificant. Many writers have even repeated the old slander, which there seems no good reason to believe, that Jack Cade's insurrection was promoted by the intrigues of the Duke of York; but no one appears to me to have realised the precise nature of the crisis that necessarily followed the removal of the Duke of Suffolk. And as we have now arrived at the point where the Paston Letters begin to have a most direct bearing on English history, we must endeavour in a few words of historical retrospect to make the matter as clear as possible.

The Duke of Suffolk

the As to the causes of Suffolk's fall we are not left in ignorance. Not only do we possess the full text of the long

¹ A value probably equal to about £3000 of our money.

² Nos. 102, 135.

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indictment drawn up against him this year in Parliament, but a number of political ballads and satires, in which he is continually spoken of by the name of Jack Napes, help us to realise the feeling with which he was generally regarded. Of his real merits as a statesman, it is hard to pronounce an opinion; for though, obviously enough, his whole policy was a failure, he himself seems to have been aware from the first that it was not likely to be popular. Two great difficulties he had to contend with, each sufficient to give serious anxiety to any minister whatever: the first being the utter weakness of the king's character; the second, the practical impossibility of maintaining the English conquests in France. To secure both himself and the nation against the uncertainties which might arise from the vacillating counsels of one who seems hardly ever to have been able to judge for himself in State affairs, he may have thought it politic to ally the king with a woman of stronger will than his own. At all events, if this was his intention, he certainly achieved it. The marriage of Henry with Margaret of Anjou was his work; and from Margaret he afterwards obtained a protection which he would certainly not have received from her well-intentioned but feeble-minded husband.

This marriage undoubtedly recommended itself to Henry ^{The king's} himself as a great means of promoting peace with France. ^{marriage.} The pious, humane, and Christian character of the king disposed him favourably towards all pacific counsels, and gave him a high opinion of the statesman whose policy most obviously had in view the termination of the disastrous war between France and England. King René, the father of Margaret of Anjou, was the brother of the French king's consort; so it was conceived that by his and Margaret's intercession a permanent peace might be obtained, honourable to both countries. For this end, Henry was willing to relinquish his barren title to the kingdom of France, if he could have been secured in the possession of those lands only, such as Guienne and Normandy, which he held irrespective of that title.¹ He was willing to relinquish even the duchies of

¹ Stevenson's *Wars of the English in France*, i. 132.

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Anjou and Maine, King René's patrimony, though the latter had long been in the possession of the English. It was of course out of the question that Henry should continue to keep the father of his bride by force out of his own lands. Suffolk therefore promised to give them up to the French king, for the use of René and his brother, Charles of Anjou; so that instead of the former giving his daughter a dower, England was called upon to part with some of her conquests. But how would the English nation reconcile itself to such a condition? Suffolk knew well he was treading in a dangerous path, and took every possible precaution to secure himself. He pleaded beforehand his own incompetency for the charge that was committed to him. He urged that his familiarity with the Duke of Orleans and other French prisoners lately detained in England brought him under suspicion at home, and rendered him a less fitting ambassador for arranging matters with France. Finally he obtained from the King and Council an instrument under the Great Seal, pardoning him beforehand any error of judgment he might possibly commit in conducting so critical a negotiation.¹

His success, if judged by the immediate result, seemed to show that so much diffidence was unnecessary. The people at large rejoiced in the marriage of their king; the bride, if poor, was beautiful and attractive; the negotiator received the thanks of Parliament, and there was not a man in all the kingdom,—at least in all the legislature—durst wag his tongue in censure. The Duke of Gloucester, his chief rival and opponent in the senate, was the first to rise from his seat and commend Suffolk, for his services, to the favour of the Crown.²

¹ Rymer, xi. 53.

² *Rolls of Parl.* v. 73. That Gloucester secretly disliked Suffolk's policy, and thought the peace with France too dearly bought, is more than probable. At the reception of the French ambassadors in 1445, we learn from their report that Henry looked exceedingly pleased, especially when his uncle the French king was mentioned. 'And on his left hand were my Lord of Gloucester, at whom he looked at the time, and then he turned round to the right to the chancellor, and the Earl of Suffolk, and the Cardinal of York, who were there, smiling to them, and it was very obvious that he made some signal. And it was afterwards mentioned by———(blank in orig.), that he pressed his Chancellor's hand and said to him in English, "I am very much rejoiced that some who are present should hear these words. They are not at their ease."—Stevenson's *Wars of the English in France*, i. 110-11.

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If he had really committed any mistakes, they were as yet unknown, or at all events uncriticised. Even the cession of Maine and Anjou at this time does not seem to have been spoken of.

Happy in the confidence of his sovereign, Suffolk was promoted to more distinguished honour. From an earl he was raised to the dignity of a marquis; from a marquisate, a few years later, to a dukedom. He had already supplanted older statesmen with far greater advantages of birth and pre-eminence of rank. The two great rivals, Humphrey, Duke of Gloucester, and Cardinal Beaufort, were both eclipsed, and both died, within six weeks of each other, two years after the king's marriage, leaving Suffolk the only minister of mark. But his position was not improved by this undisputed ascendency. The death of Humphrey, Duke of Gloucester, A.D. 1447, aroused suspicions in the public mind that were perhaps due merely to time and circumstance. Duke Humphrey, with many defects in his character, had always been a popular favourite, and just before his death he had been arrested on a charge of treason. That he could not possibly have remained quiet under the new *régime* is a fact that we might presume as a matter of course, but there is no clear evidence that he was guilty of intrigue or conspiracy. The king, indeed, appears to have thought he was so, but his opinions were formed by those of Suffolk and the Queen; and both Suffolk and the Queen were such enemies of Duke Humphrey, that they were vehemently suspected of having procured his death.¹

Complaints against the minister now began to be made more openly, and his conduct touching the surrender of Anjou and Maine was so generally censured, that he petitioned the king that a day might be appointed on which he should have an opportunity of clearing himself before the Council. On the 25th of May 1447 his wish was granted, and in the presence of a full Council, including the Duke of York, and others who might have been expected to be no very favourable

¹ An interesting and valuable account of the death of Duke Humphrey, from original sources, will be found in *The Hall of Lawford Hall*, pp. 104-113.

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critics, he gave a detailed account of all that he had done. How far he made a really favourable impression upon his hearers we do not know; but in the end he was declared to have vindicated his integrity, and a proclamation was issued forbidding the circulation of such slanders against him in future, under penalty of the king's displeasure.¹

The nature of the defence that he set up can only be a matter of speculation; but it may be observed that as yet no formal delivery of Anjou or Maine had really taken place at all. The former province, though it had been before this overrun and laid waste by the English, does not appear ever to have been permanently occupied by them. Delivery of Anjou would therefore have been an idle form; all that was required was that the English should forbear to invade it. But with Maine the case was different. It had been for a long time in the hands of the English, and pledges had certainly been given for its delivery by Suffolk and by Henry himself in December 1445.² As yet, however, nothing had been concluded by way of positive treaty. No definite peace had been made with France. Difficulties had always started up in the negotiations, and the ambassadors appointed on either side had been unable to do more than prolong from time to time the existing truce, leaving the matter in dispute to be adjusted at a personal interview between the two kings, for which express provision was made at the time of each new arrangement. But the personal interview never took place. In August 1445 it was arranged for the following summer. In January 1446 it was fixed to be before November. In February 1447 it was again to be in the summer following. In July it was settled to be before May 1448; but in October the time was again lengthened further.³ There can be little doubt that these perpetual delays were due merely to hesitation on the part of England to carry out a policy to which she was already pledged. Charles, of course, could not allow them to go on for ever. In the treaty of July 1447, an express provision was for the first time

¹ Rymer, xi. 173.

² See Stevenson's *Wars of the English in France*, ii. [639] to [642].

³ Rymer, xi. 97, 108, 151, 182, 189, etc.

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inserted, that the town and castle of Le Mans, and other places within the county of Maine, should be delivered up to the French. It seems also to have been privately arranged that this should be done before the 1st of November; and that the further treaty made at Bourges on the 15th of October should not be published until the surrender was accomplished.¹ But the year 1447 had very nearly expired before even the first steps were taken to give effect to this arrangement. At length, on the 30th of December, an agreement was made by Matthew Gough, who had the keeping of Le Mans, that the place should be surrendered by the 15th of January, on receipt of letters patent from the King of France, for compensation to be made to grantees of the English crown.

Even this arrangement, however, was not adhered to. Matthew Gough still found reasons for refusing or delaying the surrender, although the English Government protested the sincerity of its intentions. But Charles now began to take the matter into his own hands. Count Dunois and others were sent to besiege the place, with a force raised suddenly out of various towns; for France had been carefully maturing, during those years of truce, a system of conscription which was now becoming serviceable. At the first rumour of these musters the English Government was alarmed, and Sir Thomas Hoo, Lord Hastings, Henry's Chancellor of France, wrote urgently to Pierre de Brézé, seneschal of Poitou, who had been the chief negotiator of the existing truce, deprecating the use of force against a town which it was the full intention of his Government to yield up honourably.² Such protests, however, availed nothing in the face of the obvious fact that the surrender had not taken place at the time agreed on. The French continued to muster forces. In great haste an embassy was despatched from England, consisting of Adam de Moleyns, Bishop of Chichester, and Sir Thomas Roos; but the conduct of the garrison itself rendered further negotiation nugatory. By no means could they be induced, even in obedience to

Siege of
Le Mans,
A.D. 1448.

¹ Stevenson's *Wars*, ii. [714, 715].

² Stevenson's *Wars*, i. 198. See also a letter of the 18th Feb. 1448, of which an abstract is given in vol. ii. of the same work, p. 576.

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their own king, to surrender the city peacefully. Dunois and his army accordingly drew nearer. Three sharp skirmishes took place before the siege could be formed ; but at length the garrison were fully closed in. All that they could now do was to make a composition with the enemy ; yet even this they would not have attempted of themselves. The efforts of the English envoys, however, secured for the besieged most favourable terms of surrender. Not only were they permitted to march out with bag and baggage, but a sum of money was delivered to each of the captains, by the French king's orders ; with which, and a safe-conduct from Charles, they departed into Normandy.¹

It was on Friday, the 15th of March 1448, the day on which the truce between the two countries was to have expired, that the brave Matthew Gough, along with his colleague, Fulk Eton, formally delivered up to the French, not only the town and castle of Le Mans, but also the whole county of Maine except the lordship of Fresnay. Standing on the outer bridge, they made a public protest before their soldiers, and caused a notary to witness it by a formal document, that what they did was only in obedience to their own king's commands, and that the king himself, in giving up possession of the county of Maine, by no means parted with his sovereign rights therein ; that he only gave up actual possession in order that King René and his brother, Charles of Anjou, might enjoy the fruits of their own lands, and in the hope that a firm peace might be established between England and France. Four days before this was done the truce had been prolonged for two years more.²

The reluctant cession of such a valuable province as Maine boded ill for the security of the neighbouring duchy of Normandy. The government of Normandy was at this time committed to Edmund Beaufort, Marquis of Dorset, who had just been created Duke of Somerset. His appointment to the post had been due rather to favour than to merit. The Duke of York was then Regent of France, and had given good proof

¹ *Chron. de Mat. de Coussy* (in Buchon's collection), p. 34.

² Rymer, xi. 199, 204. Stevenson's *Wars*, i. 207.

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of his competence to take charge of the entire kingdom. But Somerset, who was head of the house of Beaufort, nearly allied in blood to the Crown, and who had come into possession of immense wealth by the death of his uncle, the Cardinal of Winchester, had the ambition of an Englishman to show his talent for governing. His influence with the king and Suffolk obtained for him the government of Normandy; and that he might exercise it undisturbed, York was recalled from France. The change was ill advised; for the times demanded the best of generalship, and the utmost political discretion. Somerset, though not without experience in war, had given no evidence of the possession of such qualities; and they had been notoriously wanting in his brother John, who was Duke of Somerset before him, when his ambition, too, had been gratified by a command in France. Duke John, we are told, absolutely refused to give any one his confidence as to what he was going to do at any period of the campaign. He used to say that if his shirt knew his plans he would burn it; and so, with a great deal of manœuvring and mystery, he captured a small place in Brittany called La Guerche, made a vain attempt to reduce another fortress, and then returned to England.¹ It may have been owing to public discontent at the small result of his great preparations, that he was accused of treason on his return; when, unable to endure so great a reproach, he was believed to have put an end to his own life.²

With a full recollection of the indiscretions of his brother John, the King's Council must have hesitated to confide to Duke Edmund such an important trust as the government of Normandy. They must have hesitated all the more, as the appointment of Somerset involved the recall of the Duke of York. And we are told that their acts at the time betrayed symptoms of such irresolution; insomuch that one day a new governor of Normandy was proclaimed at Rouen, and the next his commission was revoked and another named in his stead.³ But at last the influence of Somerset prevailed. He

¹ Basin, *Histoire de Charles VII.* etc. i. 150-1.

² *Hist. Croylandensis Continuatio* in Fulman's *Scriptores*, p. 519.

³ Basin, i. 192.

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was not, however, permitted to go abroad without warning of the dangers against which he had to provide. The veteran Sir John Fastolf drew up a paper for his guidance, pointing out that it was now peculiarly important to strengthen the fortifications on the new frontier, to protect the seaports, to preserve free communication with England, and (what was quite as politic a suggestion as any) to appoint a wise chancellor and a council for the impartial administration of justice, so as to protect the inhabitants from oppression.¹ From the comment made upon these suggestions, either by Fastolf himself or by his secretary William Worcester, it would seem that they were not acted upon; and to this cause he attributed the disasters which soon followed in quick succession, and brought upon the Duke of Somerset the indignation and contempt of a large number of his countrymen. These feelings, probably, were not altogether just. The duke had done good service before in France, and part of the blame of what occurred may perhaps be attributed to divided management—more especially to the unruly feelings of a number of the English soldiers.

The garrison which had been compelled against its will to give up Le Mans found it hard to obtain quarters in Normandy. It was doubtful whether they were not labouring under their own king's displeasure, and the captains of fortified towns were afraid to take them in. At last they took possession of Pontorson and St. James de Beuvron, two towns situated near the confines of Brittany which had been laid waste during the previous wars and had since been abandoned. They began to victual and fortify themselves in these positions, to the alarm of their neighbours, until the Duke of Brittany felt it necessary to complain to the Duke of Somerset, requesting that they might be dislodged. Somerset, in reply, promised to caution them not to do anything in violation of the truce, but declined to bid them evacuate their positions. Diplomatic intercourse went on between one side and the other, always in the most courteous terms, but every day it was becoming more apparent that all confidence was gone.

149. At last, in March 1449, the English justified the suspicions

¹ Stevenson's *Wars*, ii. [592].

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that had long been entertained of them. A detachment of about 600 men, under François de Surienne, popularly named L'Arragonois, a leader in the pay of England,¹ who had, not long before, been knighted by Henry, crossed the frontier southwards into Brittany, took by assault the town and castle of Fougères, and made dreadful havoc and slaughter among the unsuspecting inhabitants. The place was full of wealthy merchants, for it was the centre of a considerable woollen manufacture, and the booty found in it was estimated at no less than two millions of gold.² Such a prize in legitimate warfare would undoubtedly have been well worth the taking; but under the actual circumstances the deed was a glaring, perfidious violation of the truce. Somerset had been only a few days before protesting to the King of France that, even if all his towns were open and undefended, they would be perfectly secure from any assault by the English;³ yet here was a town belonging to the Duke of Brittany, a vassal of the King of France who had been expressly included in the truce, assaulted and taken by fraud. Somerset disavowed the deed, but refused to make restitution. He professed to write to the king for instructions how to act; but he utterly destroyed his flimsy pretence of neutrality by writing to the King of France, desiring him not to give assistance to the Duke of Brittany.⁴

The truth is that the expedition had been fully authorised, not only by Somerset in Normandy, but by the king and the Duke of Suffolk in England. It was suggested to L'Arragonois when he was in England by Suffolk himself, who assured him that he would do the king a most excellent service by taking a place of so much consequence. He was further given to understand that he incurred no danger or responsibility; for even if he were besieged by the Duke of Brittany, ample succours would be despatched to relieve him. Unfortunately, during the next few months, the English had too much to do to keep their word, and L'Arragonois was compelled to sur-

¹ Stevenson's *Wars*, i. 473; ii. 573.

² Stevenson's *Reductio Normannæ*, 406.

³ *Ibid.* 402.

⁴ *Ibid.* 406.

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render the place again to the Duke of Brittany after a five weeks' siege. Feeling himself then absolved from every engagement to England, he next year sent back the Order of the Garter to Henry, declaring himself from that time a subject of his natural lord the King of Arragon, in whose country he proposed to spend the remainder of his days.¹

Notwithstanding the richness of the booty won by the capture of Fougères, the English ought to have been aware that they would have a heavy price to pay for it. The alienation of a friend in the Duke of Brittany evidently did not grieve them, although that in itself should have been a matter of some concern; for the duke, though nearly related to the French king, had studied to keep himself neutral hitherto. To his and his father's pacific policy it was owing that the commerce of Brittany had prospered and Fougères itself become rich, while neighbouring districts were exposed to the ravages of war. But the resentment of the Duke of Brittany was not a cause of much apprehension. The effect of the outrage upon the French people was a much more serious matter, and this was felt immediately. The King of France, when he heard the news, was at Montils by Tours on the point of starting for Bourges. He immediately changed his purpose and turned back to Chinon that he might be nearer Brittany. A secret treaty was made between the king and the duke to aid each other on the recommencement of hostilities with the English. A plot was also laid to surprise the town of Pont-de-l'Arche on the Seine, just as Fougères had been surprised by the English. It was completely successful, and Pont-de-l'Arche was captured by stratagem early in the morning of the 16th of May, by a body of adventurers professedly in the service of Brittany. There could be no mistake about the significance of the retribution. To the Duke of Brittany the capture of Pont-de-l'Arche was of no value, except in the way of retaliation, for it was at a great distance from his borders; while to France it was a most important gain if used with a view to the recovery of Normandy. But France was quite as free to dis-

¹ Stevenson's *Wars*, i. 275, 278, etc.

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avow the deed as the English Government had been to disavow the taking of Fougères.

Charles had, in fact, gained, in a strategic point of view, quite as great an advantage as the English had gained in point of material wealth. But morally his advantage was greater still, for he showed himself perfectly open to treat for the redress of outrages on both sides, and was willing to put Pont-de-l'Arche again into the hands of the English if they would have restored Fougères. All conferences, however, were ineffectual, and the French followed up their advantage by taking Gerberoy and Conches. In the south they also won from the English two places in the neighbourhood of Bordeaux.¹ Still, Charles had not yet declared war, and these things were avowedly no more than the acts of desultory marauders. His ambassadors still demanded the restitution of Fougères, which possibly the English might now have been willing to accord if they could have had the French captures restored to them, but that in the surrender of the place they would have had to acknowledge Brittany as a feudal dependency of Charles.² Negotiations were accordingly broken off, and Charles having besides received particulars of a breach of the truce with Scotland in the preceding year, which even an English writer does not venture to defend,³ at length made a formal declaration of hostilities.⁴

Never, it must be owned, did England incur the grave responsibilities of war with a greater degree of foolhardiness. Somerset himself seemed only now to have wakened up to the defenceless state of Normandy. He had just sent over Lord Hastings and the Abbot of Gloucester with a message to the

¹ *Reductio Normannie*, 251.

² *Ibid.* 503.

³ 'Eodem anno [26 Hen. VI.], Rex visitans boreales partes Angliæ usque Donelmenense monasterium, quasi omnes domini et alii plebei illius patriæ in magna multitudo quotidiè ei in obviam ostendebant, quare, concilio habito, minus formidabant interrumpere trugas inter ipsum et Regem Scotiæ prius suis sigillis fidelitatis confirmatas; sed posterius hujus trugarum interruptio vertebatur Anglicis multo magis in dispendium quam honorem, quia recedente Rege Scoti magnam partem Northumbriæ bina vice absque repulsu destruxerunt, et juxta Carlele erant ex Anglicis capti et interfecti ad numerum duorum millium; et sic tandem Rex Angliæ cum ejus concilio pro saniori deliberatione cum damnis ad pacem inclinare reducitur.'—*Incerti Scriptoris Chronicum* (Ed. Giles), Hen. vi. p. 36.

⁴ *Reductio Normannie*, 254.

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English Parliament desiring immediate aid. The French, he said, were daily reinforcing their garrisons upon the frontier, and committing outrages against the truce. General musters were proclaimed throughout the kingdom, and every thirty men of the whole population were required to find a horseman fully equipped for war. Meanwhile, the English garrisons in Normandy were too feeble to resist attack. Not a single place was furnished with sufficient artillery, and the fortifications, almost everywhere, had fallen into such decay that even if filled with men and guns they could not possibly be defended. Besides this, the whole province was in such extreme poverty that it could no longer endure further imposts for the charges of its own defence.¹

No marvel, therefore, that the progress of the French arms was, from this time, uninterrupted. On the 19th July the town of Verneuil was taken by the aid of a miller who had been maltreated by some of the garrison; and, some time afterwards, the castle also surrendered. In August operations were carried on in several parts of the Duchy at once. Towns near the sea and towns near the French frontier were attacked at the same time; and Pont-Audemer, Lisieux, Mantes, Vernon, and other places were recovered from the English. Then followed in quick succession the capture of Essay, Fécamp, Harcourt, Chambrois, Roche-Guyon, and Coutances. In October, Rouen, the capital of the province, was invested. On the 19th the inhabitants with one accord rose in arms against the English, who found it necessary to retreat into the castle. In this stronghold Somerset himself was assailed by the King of France, and, after a vain attempt to secure better terms, agreed to surrender not only it but the fortresses of Arques, Caudebec, and several other places, leaving the gallant Talbot, Earl of Shrewsbury, as a hostage until they were delivered up. Meanwhile, the Duke of Brittany overran Lower Normandy and recovered his own Fougères after a siege of little more than a month. François L'Arragonois, finding no hope of succours, surrendered the place and afterwards went over to the French.

¹ *Rolls of Parl.* v. 147.

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In short, before the end of the year, the English had lost nearly everything in the North of France. The inhabitants everywhere conspired to betray towns and garrisons, and every man not English-born took part against the English. Even King René, Henry's father-in-law, assisted Charles at the siege of Rouen, and shared the honours of his triumphal entry. At the end of the year 1449 the English held nothing in Normandy except a few towns upon the sea-coast or a little way inland—the chief of these being Honfleur, Bayeux, Caen, and Cherbourg. The last-named fortress remained untaken till the 12th of August in the following year. When it surrendered, the whole of Normandy was finally lost.

The news of these reverses so rapidly following each other of course produced in England the most profound dissatisfaction. The Parliament to which Somerset had applied for aid had been removed after Whitsunday to Winchester on account of the insalubrity of the air in London and Westminster, and had been finally dissolved on the 16th of July. A new Parliament was then called for a winter session to provide for the defence of Normandy, when, in fact, it was too late.¹ By the time it had assembled Rouen was already lost. The secret odium with which the policy of Suffolk had been viewed for years past could now no longer be restrained. It was difficult to persuade the many that the disgrace which had befallen the English arms was not due to treachery as much as to incompetence. The cession of Maine and Anjou was more loudly blamed than ever, and Suffolk was considered to have negotiated the king's marriage mainly with a view to his own advantage. It was remembered how he had once imprudently boasted that he possessed no less weight in the counsels of the King of France than in those of his own sovereign; it was again murmured that he had been the cause of Gloucester's death. And notwithstanding the protection of the Court, these feelings found expression in Parliament.

Unpopularity of Suffolk.

¹ *Rolls of Parl.* v. 143, 171. Even when the new Parliament met at Westminster on the 6th November it was obliged to adjourn to the City of London on account of the unhealthiness of the air. We must remember that Westminster was then little better than a flat muddy island, with a vast extent of marshy land and stagnant pools between Pimlico and the Thames.

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At the beginning of the New Year, an incident occurred which served still further to precipitate his ruin. Adam de Moleyns, Bishop of Chichester, keeper of the Privy Seal, who, as we have seen, had been sent over to France in the beginning of 1448, to arrange the peaceful cession of Le Mans, was at this time sent to Portsmouth to pay the wages of certain soldiers and sailors. He was a scholar as well as a statesman, and corresponded occasionally with the celebrated Æneas Sylvius, afterwards Pope Pius II.¹ But, like Suffolk, he was believed to make his own advantage out of public affairs. He had the reputation of being very covetous; the king's treasury was ill supplied with money, and he endeavoured to force the men to be satisfied with less than their due. On this they broke out into open mutiny, cried out that he was one of those who had sold Normandy, and thereupon put him to death.² This was on the 9th day of January 1450. During the altercation he let fall some words, probably in justification of his own conduct, which were considered to reflect most seriously upon that of the Duke of Suffolk,³ and a cry arose for the duke's impeachment in Parliament.

It must certainly be acknowledged by any candid student of history that the state of the English Constitution in early times did not admit of true and impartial justice being done to an accused minister. So long as a man in Suffolk's position was upheld by the power of the Crown, it was to the last degree dangerous to say anything against him; but when the voice of complaint could no longer be restrained, the protection he had before received ceased to be of any use to him. It became then quite as dangerous to say anything in his favour as it had been formerly to accuse him. The Crown could not make common cause with one whose conduct was under suspicion; for the king could do no wrong, and the minister must be the scape-goat. The party, therefore, which would insist on any inquiry into the conduct of a minister, knew well that they must succeed in getting him condemned, or be branded as traitors

¹ *Æneæ Sylvi Epp.* 80, 186.

² According to his friend, Æneas Sylvius, the mode of death inflicted on him was decapitation. (*Opera*, 443.)

³ *Rolls of Parl.* v. 176.

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themselves. Such proceedings accordingly began inevitably with intrigue. Lord Cromwell was Suffolk's enemy at the council-table, and used his influence secretly with members of the House of Commons, to get them to bring forward an impeachment in that chamber. That he was a dangerous opponent Suffolk himself was very well aware. A little before Christmas, William Tailboys, one of the duke's principal supporters, had set a number of armed men in wait for him at the door of the Star Chamber, where the council met, and Lord Cromwell narrowly escaped being killed. The attempt, however, failed, and Tailboys was committed to the Tower; from which it would seem that he must soon afterwards have been released. Cromwell then brought an action against him in the Court of Exchequer to recover damages for the assault, and was awarded £3000; on which Tailboys was committed to the Sheriff of London's prison; and this was all the redress obtained by Cromwell till, by a special Act in the ensuing Parliament, Tailboys was removed from that place of confinement, and lodged in the Tower once more, for a period of twelve months. Owing to the king's protection he was not brought to trial.¹

An evil day, nevertheless, had arrived for the Duke of Suffolk, which not all the influence of the king, nor the still greater influence of Margaret of Anjou, who owed to him her proud position as Henry's consort, was able to avert. On the 22nd of January the duke presented a petition to the king that he might be allowed to clear himself before Parliament of the imputations which had been cast on him in consequence of the dying words of Bishop Moleyns. He begged the king to remember how his father had died in the service of King Henry v. at Harfleur—how his elder brother had been with that king at Agincourt—how two other brothers had fallen in the king's own days at Jargeau, when he himself was taken prisoner and had to pay £20,000 for his ransom—how his

¹ W. Worc. *Rolls of Parl.* v. 200. I find by an entry in the *Controlment Roll*, 30 Hen. vi., that on St. Bartholomew's Day, 1451, William Tailboys and nineteen other persons belonging to South Kyme, in Lincolnshire, were outlawed at the suit of Elizabeth, widow of John Saunderson, for the murder of her husband.

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fourth brother had been a hostage for him in the enemies' hands and died there. He also reminded the king that he had borne arms for four-and-thirty years, had been thirty years a Knight of the Garter, and had served in the wars abroad for seventeen years at a time, without ever coming home. Since then he had been fifteen years in England about the king's person, and he prayed God that if ever he died otherwise than in his bed, it might be in maintaining the quarrel that he had been at all times true to Henry.¹

Four days after this a deputation from the Commons waited on the Lord Chancellor, desiring that as Suffolk had confessed the prevalence of injurious reports against him, he might be committed to custody. This request was laid by the Chancellor before the king and council on the following day, and the opinion of the judges being taken as to the legality of the proposed arrest, he was allowed to remain at liberty until a definite charge should be brought against him. Such a charge was accordingly declared two days later by the Speaker, who did not hesitate to tell the Lord Chancellor, in the name of the Commons, that Suffolk was believed to be in league with the French king to promote an invasion of England, and had fortified the castle of Wallingford with a view of assisting the invaders. The duke, on this, was committed to the Tower.

On the 7th of February he was formally impeached by the Commons. A copy of the articles of impeachment will be found in the Paston Letters (No. 76). Nothing was said in them of the fortification of Wallingford Castle, but a number of specific charges were made, many of them authenticated by the exact day and place when the alleged treasonable acts were committed, tending to show that in his communications with the French he had been invariably opposed to the interests of his own country. It was alleged that he had been bribed to deliver Anjou and Maine, and that as long ago as the year 1440 he was influenced by corrupt motives to promote the liberation of the Duke of Orleans; that he had disclosed the secrets of the English council-chamber to the French king's ambassadors; that he had even given information by which France had

¹ *Rolls of Parl.* v. 176.

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profited in the war, and that he had rendered peace negotiations nugatory by letting the French know beforehand the instructions given to the English envoys. Further, in the midst of invasion and national disgrace, he had hoped to gratify his own ambition. The king, who was still childless, was to be deposed; and the duke had actually hoped to make his own son king in his place. It seems that he had obtained some time before a grant of the wardship of Margaret Beaufort, daughter of the late Duke of Somerset, who was the nearest heir to the Crown in the Lancastrian line, and since his arrest he had caused her to be married to his own son, Lord John De la Pole.¹ Such was the foundation on which the worst charge rested.

A month passed before he was heard in his own defence. The Commons impeached, but it was for the Lords to try him. Meanwhile, another bill of indictment had been prepared by the malice of his enemies, in which all the failures of his policy were visited upon him as crimes, and attributed to the worst and most selfish motives. For his own private gain, he had caused the Crown to be prodigal of grants to other persons, till it was so impoverished that the wages of the household were unpaid, and the royal manors left to fall into decay. He had granted the earldom of Kendal, with large possessions both in England and in Guienne, to a Gascon, who ultimately sided with the French, but had happened to marry his niece. He had weakened the king's power in Guienne, alienated the Count of Armagnac, and caused a band of English to attack the king's German allies; he had disposed of offices to unworthy persons without consulting the council, granted important possessions in Normandy to the French king's councillors, given to the French queen £13,000 of the revenues of England, appropriated and misapplied the king's treasure and the subsidies granted by Parliament for the keeping of the sea. These and some minor charges formed the contents of the second bill of indictment.²

¹ So it is stated in the impeachment. According to the inquisition on Suffolk's death, his son was born on the 27th September 1442, and was therefore at this time only in his eighth year.—Napier's *Historical Notices of Swyncombe and Erwelme*, 108.

² *Rolls of Parl.* v. 179-182.

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He was brought from the Tower on the 9th day of March, and required to make answer before the Lords to the contents of both bills. He requested of the king that he might have copies, which were allowed him ; and that he might prepare his answer more at ease, he was removed for a few days to a tower within the king's palace at Westminster. On the 13th he was sent for to make his answer before the king and lords. Kneeling before the throne, he replied to each of the eight articles in the first bill separately. He denied their truth entirely, and offered to prove them false in whatever manner the king would direct. He declared it absurd to consider Margaret Beaufort as heir-presumptive to the Crown, and used other arguments to show the improbability of his designs on the succession. In all else he showed that the other lords of the council were quite as much committed as he ; and as to the delivery of Anjou and Maine, he laid the responsibility entirely upon the murdered Bishop of Chichester.¹

Next day, the Chief Justice, by the king's command, asked the Lords what advice they would give the king in the matter. It was a Saturday, and the Lords deferred their answer till the following Monday ; but on the Monday nothing was done. On the Tuesday the king sent for all the Lords then in London to attend him in his own palace, where they met in an inner chamber. When they were assembled, Suffolk was sent for, and kneeling down, was addressed briefly by the Lord Chancellor. He was reminded that he had made answer to the first bill of the Commons without claiming the right of being tried by the peers ; and he was asked if he had anything further to say upon the subject. He replied that the accusations were too horrible to be further spoken of, and he hoped he had sufficiently answered all that touched the king's person, and the state of his kingdom. Nevertheless, he submitted himself entirely to the king, to do with him whatever he thought good.²

On this an answer was returned to him in the king's name by the Lord Chancellor. A miserably weak and evasive answer it was, showing clearly that the king desired to protect

¹ *Rolls of Parl.* v. 182.

² *Ibid.*

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his favourite, but had not the manliness to avow he thought him worthy of protection. The Lord Chancellor was commissioned to say, that as to the very serious charges contained in the first bill, the king regarded Suffolk as not having been proved either guilty or innocent; but touching those contained in the second bill, which amounted only to misprisions, as Suffolk did not put himself upon his peerage, but submitted entirely to the king, the latter had determined, without consulting the Lords, and not in the way of judgment (for he was not sitting in tribunal), but merely in virtue of the duke's own submission, to bid him absent himself from England for five years, from the first day of May ensuing.¹

He is
ordered to
leave
England.

It is clear upon the face of the matter, that although the king was made to take the sole responsibility of this decision, it was really a thing arranged, and not arranged without difficulty, between the friends of Suffolk and some of the leading members of the House of Lords. Immediately after it was pronounced, Viscount Beaumont, who was one of Suffolk's principal allies, made a protest on behalf of the Lords, that what the king had just done, he had done by his own authority, without their advice and counsel. He accordingly besought the king that their protest might be recorded in the rolls of Parliament, for their protection, so that the case might not henceforth be made a precedent in derogation of the privileges of the peerage.² Thus it was clearly hoped on all sides a great crisis had been averted. Suffolk was got rid of, but not condemned. A victim was given over to popular resentment, but the rights of the Peers for the future were to be maintained. And though the Crown lowered itself by an avowed dereliction of duty, it was not severely censured for preferring expediency to justice.

On the following night the duke left Westminster for Suffolk. The people of London were intensely excited, and about two thousand persons sallied out to St. Giles' hoping to intercept his departure, but they succeeded only in capturing his horse and some of his servants, whom they maltreated, as might have been expected. Even after this the excitement

¹ *Rolls of Parl.* v. 183.

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was scarcely diminished. Seditious manifestoes were thrown about in public and secretly posted on church doors.¹ The duke had more than a month to prepare for leaving England, and seems to have spent the time in the county of Suffolk. On Thursday the 30th of April he embarked at Ipswich for Flanders ; but before going he assembled the gentlemen of the county, and, taking the sacrament, swore he was innocent of the sale of Normandy and of the other treasons imputed to him.² He also wrote an interesting letter of general admonitions for the use of his young son, at that time not eight years old, whom he was not to see again for at least five years, and too probably not at all. This letter, which is known to us only by a copy preserved in the Paston correspondence (No. 117), can hardly fail to awaken sympathy with the writer. As an evidence of unaffected piety to God and sincere loyalty to his king, it will probably outweigh with most readers all the aspersions cast by Parliament on the purity of his intentions.

Two ships and a little pinnace conveyed him from the Suffolk coast southwards till he stood off Dover, when he despatched the small vessel with letters to certain persons in Calais to ascertain how he should be received if he landed there. The pinnace was intercepted by some ships which seem to have been lying in wait for his passage ; and when it was ascertained where the duke actually was, they immediately bore down upon him. Foremost among the pursuers was a ship called the *Nicholas of the Tower*, the master of which, on nearing Suffolk's vessel, sent out a boat to ask who they were. Suffolk made answer in person, and said that he was going by the king's command to Calais ; on which they told him he must speak with their master. They accordingly conveyed him and two or three others in their boat to the *Nicholas*. When he came on board the master saluted him with the words, ' Welcome, traitor ! ' and sent to know if the shipmen meant to take part with the duke, which they at once disowned all intention of doing. The duke was then informed that he must die, but was allowed the whole of the next day and night to confess himself and prepare for the event.³ On Monday

¹ Rymer, xi. 268. ² W. Worc. 468, 469. ³ *English Chronicle*, ed. Davies, p. 69.

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the 2nd of May the rovers consummated their design. In sight of all his men Suffolk was drawn out of the *Nicholas* into a boat in which an axe and block were prepared. One of the crew, an Irish churl, then bade him lay down his head, telling him in cruel mockery that he should be fairly dealt with and die upon a sword. A rusty sword was brought out accordingly, and with nearly half a dozen strokes the fellow clumsily cut off his head. He was then stripped of his russet gown and velvet doublet. His body was brought to land and thrown upon the sands at Dover; and his men were at the same time allowed to disembark.¹

The source from which we learn most of these particulars is a letter of William Lomner to John Paston written when the news was fresh. The writer seems to have been quite overpowered by the tragic character of the event, and declares he had so blurred the writing with tears that he fears it would not be easy to decipher. Indications of genuine human feeling like this are so rare in letters of an early date that we are in danger of attributing to the men of those days a coldness and brutality which were by no means so universal as we are apt to suppose. The truth is that when men related facts they regarded their own feelings as an impertinence having nothing whatever to do with the matter in hand.² The art of letter-writing, besides, had not yet acquired the freedom of later days. It was used, in the main, for business purposes only. We shall meet, it is true, in this very correspondence, with one or two early specimens of jesting epistles; but, on the whole, I suspect paper was too valuable a commodity and writing too great a labour to be wasted on things irrelevant.

But whatever feeling may have been excited by the news of Suffolk's murder in men like William Lomner, who possibly

¹ *Paston Letters*, Nos. 120, 121.

² Even the passage above referred to would probably be an illustration of this if the original letter were examined. As we have reprinted it from Fenn, it stands thus: 'Right worshipful Sir, I recommend me to you, and am right sorry of that I shall say, *and have so wesshe this litle bill with sorrowful tears that uneathes ye shall read it.*' The words in italics would probably be found to be an interlineation in the original, for though they stand at the beginning of the letter, they were clearly written after it was penned, and the only reason why they were inserted was to excuse the illegibility of the writing.

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may have known the duke personally, we may well believe that the nation at large was neither afflicted nor very greatly shocked at the event. Even the prior of Croyland, the head of a great religious community in Lincolnshire, speaks of it as the just punishment of a traitor, and has not a word to say in reprobation.¹ Mocking dirges were composed and spread abroad, in which his partisans were represented as chanting his funeral service, and a blessing was invoked on the heads of his murderers. These were but the last of a host of satires in which the public indignation had for months past found a vent.² Suffolk had been represented on his imprisonment as a fox driven into his hole, who must on no account be let out again. He had been rhymed at as the Ape with his Clog who had tied Talbot our good dog, in allusion to the fact of Talbot, Earl of Shrewsbury, having been given up as a hostage to the French after the surrender of Rouen.³ He had been reviled as an upstart who had usurped the place of better men, and who systematically thwarted and neutralised all that better men could do. If any one wept for the fall of such a man, it was not on public grounds.

As a specimen of these political satires we cannot resist the temptation to quote a short poem which must have been composed towards the close of the year 1449, after the surrender of Rouen and before Suffolk's fall. It is far less personal than the others, being not so much an invective against Suffolk as a wail over the loss of England's great men, and the decay of her fortunes. The leading statesmen and warriors of that and the former age are here spoken of by their badges, which the reader will find interpreted in the margin:—

'The Root^a is dead, the Swan^b is gone,
The fiery Cresset^c hath lost his light.
Therefore England may make great moan
Were not the help of God Almighty'.
The Castle^d is won where care begun,
The Portè-cullis^e is laid adown;
Yclosed we have our Velvet Hat^f
That covered us from many stormes brown.

^a The Regent
Bedford.
^b Humphrey,
Duke of Glo'ster.
^c The last Duke of
Exeter.
^d Rouen Castle
^e The Duke of
Somerset.
^f The Cardinal
Beaufort.

¹ *Contin. of Croyland Chronicle*, p. 525.

² Wright's *Political Poems* (in *Rolls series*), ii. 232.

³ *Ibid.* 222, 224.

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The White Lion^s is laid to sleep,
 Thorough the envy of th' Apè^h Clog;
 And he is bounden that our door should keep;
 That is Talbot, our good dog.
 The Fisherⁱ has lost his angle hook;
 Get them again when it will be.
 Our Millè-sail^k will not about,
 It hath so long gone empty.
 The Bear^l is bound that was so wild,
 For he hath lost his Ragged Staff.
 The Carte-nathe^m is spoke-less
 For the counsel that he gaf.
 The Lilyⁿ is both fair and green;
 The Conduit^o runneth not, I wean.
 The Cornish Chough^p oft with his train
 Hath made our Eagle^q blind.
 The White Hart^r is put out of mind
 Because he will not to them consent;
 Therefore, the Commons saith, is both true and kind,
 Both in Sussex and in Kent.
 The Water Bouge^s and the Wine Botell
 With the Fetterlock's^t chain bene fast.
 The Wheat Ear^u will them sustain
 As long as he may endure and last.
 The Boar^v is far into the West,
 That should us help with shield and spear.
 The Falcon^x fleeth and hath no rest
 Till he wit where to bigg his nest.'

^s The Duke of Norfolk, who had gone on pilgrimage to Rome in 1447. (Dugdale.)

^h The Duke of Suffolk

ⁱ Lord Fauconberg who was taken prisoner by the French at the capture of Pont-de-l'Arche.

^k Robert, Lord Willoughby.

^l The Earl of Warwick.

^m The Duke of Buckingham.

ⁿ Thomas Daniel He and the two next are courtiers.

^o John Norris.

^p John Trevilian.

^q The King.

^r Earl of Arundel.

^s Lord Boucher.

^t Prior of St. John's.

^u The Duke of Exeter.

^v The Earl of Devonshire.

^x The Duke of York, who had been sent into Ireland to be out of the way.

Almost concurrently with the news of Suffolk's murder came tidings, mentioned by William Lomner in the very same letter, of another disaster in France, more gloomy, if possible, than any that had occurred before. A force under Sir Thomas Kiriel had been sent to the aid of the Duke of Somerset in Normandy after the loss of Rouen. It disembarked at Cherbourg, and proceeding towards Caen, where the duke had now taken up his position, besieged and took Valognes. They were now in full communication with the garrisons of Caen and Bayeux, when they were suddenly attacked at the village of Fourmigni, and routed with great slaughter. Between three and four thousand Englishmen were left dead upon the field; Kiriel himself was taken prisoner; even the brave Matthew Gough (well known to Frenchmen of that day as Matago) found it needful to fall back with his company of

Defeat of
 Sir T.
 Kiriel.

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1500 men for the safeguard of Bayeux, which a month afterwards he was compelled after all to give up to the enemy.¹

Meanwhile the Parliament, which had been prorogued over Easter, was ordered to meet again at Leicester instead of Westminster. The reason given for the change of place was still, as before, the unhealthiness of the air about Westminster; and doubtless it was a very true reason. It is possible, however, that the political atmosphere of London was quite as oppressive to the Court as the physical atmosphere could be to the Parliament. During their sitting at Leicester a much needed subsidy was voted to the king, and an Act passed for the application of certain revenues to the expenses of the Royal Household in order to stop the exactions of purveyors. But they had hardly sat a month when the session was suddenly put an end to from a cause which we proceed to notice.

Rebellion of Jack Cade

The murder of the Duke of Suffolk had not made things better than they had been before. The ablest of the ministers, who had hitherto guided the king's counsels, was now removed, but his place was left for a time altogether unsupplied. The men of Suffolk's party, such as Lord Say, Viscount Beaumont, and Thomas Daniel, still remained about the king, and were nearly as unpopular as he had been. The offices formerly held by Suffolk were divided among them and their particular friends.² Even if the Court had desired to call in men of greater weight, they were not then at hand. The Duke of Somerset was in France, and the Duke of York in Ireland; so that some time must have elapsed before either of them could have taken part in public affairs at home. Meanwhile it was said that the resentment of the Court for Suffolk's

¹ Berry's narrative in Stevenson's *Expulsion of the English from Normandy*, 336. *Wars of the Engl.* ii. [360]. *Paston Letters*, No. 120.

² See No. 123. William Worcester says Lord Beauchamp was made treasurer, and Lord Cromwell the king's chamberlain. Lord Beauchamp's appointment is on the *Patent Rolls*. See *Calendarum Rot. Patent*, p. 294.

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murder would be visited upon the county of Kent ; and the county of Kent was of opinion that it suffered abuses enough already. The exactions of the king's officers, both in the way of taxation and purveyance, were felt to be extortionate and capricious. The collectors of the revenue were appointed by the knights of the shire, and these, instead of being freely chosen by the people, were but the nominees of a few great men who compelled their tenants to vote according to their pleasure. There were, besides, grave cases of injustice in which people were accused of treason, and kept in prison without trial, on the information of persons about the Court who had influence to obtain grants of their lands from the Crown.

Hence arose Jack Cade's rebellion, a movement which we must not permit ourselves to look upon as a vulgar outbreak of the rabble. Whole districts of Kent, Surrey, and Sussex rose in arms, clamouring for redress of grievances ; and it is certain that the insurgents met with a large amount of sympathy, even from those who did not actually take part with them.¹ As their leader, they selected a man who called himself Mortimer, and who, besides some experience in war, was evidently possessed of no small talent for generalship. It afterwards turned out that his real name was Cade, that he was a native of Ireland, and that he had been living a year before in the household of Sir Thomas Dacre in Sussex, when he was obliged to abjure the kingdom for killing a woman who was with child. He then betook himself to France and served in the French war against England. What induced him to return does not appear, unless we may suppose, which is not unlikely, that some misdemeanour when in the service of France made the French soil fully as dangerous to him as the English. In England he seems to have assumed the name

Cade's
Rebellion.

¹ The late Mr. Durrant Cooper, in an interesting paper read before a meeting of the Kent Archæological Society, examined the long list of names given on the *Patent Roll* of 28 Henry VI., and proved from them that the insurrection was by no means of a very plebeian or disorderly character. 'In several hundreds,' he says, 'the constables duly, and as if legally, summoned the men ; and many parishes, particularly Marden, Penshurst, Hawkhurst, Northfleet, Boughton-Malherbe, Smarden, and Pluckley, furnished as many men as could be found in our day fit for arms.'

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of Aylmer, and passed himself off as a physician. He married a squire's daughter, and dressed in scarlet; and when the rebellion broke out in Kent he called himself John Mortimer, a cousin of the Duke of York.

The first disturbances took place at Whitsuntide in the latter end of May. In the second week of June¹ a considerable army from the counties of Kent, Surrey, and Sussex encamped upon Blackheath. The king, who, on receiving news of the rising, had dissolved the parliament then sitting at Leicester, arrived in London on Saturday the 13th, and took up his quarters at the priory of St. John's, near Smithfield. He had with him 20,000 men under arms, but for some reason or other did not set out against the rebels till the following Thursday, the 18th.¹ They, meanwhile, had withdrawn in the night-time,² and the king and his host occupied their position on Blackheath. The royal forces, however, proceeded no further. Only a detachment, under Sir Humphrey Stafford and his brother William, was sent to pursue the insurgents. An encounter took place at Sevenoaks on the 18th,³ in which both the Staffords were killed. Their defeat spread dismay and disaffection in the royal camp. The noblemen who had accompanied the king to Blackheath could no longer keep their men together, the latter protesting that unless justice were done on certain traitors who had misled the king, they would go over to the Captain of Kent. To satisfy them, Lord Say was arrested and sent to the Tower; but even with this concession the king did not dare presume upon their loyalty. He withdrew to Greenwich, and the whole of his army dispersed. The king himself returned to London by water, and made preparations during the next two or three days to remove to Kenilworth. The mayor and commons of the city went to him to beseech him to remain, offering to live

¹ These dates were given differently in previous issues of this Introduction. For a rectification of the chronology of the rebellion I am indebted to Kriehn's *English Rising in 1450*, pp. 125 and following.

² According to No. 119 of our collection this retreat would appear to have been on the 22nd June, but that date is certainly an error.

³ The 18th June is given as the date of Sir Humphrey Stafford's death in *Inquis. post mortem*, 28 Henry VI. No. 7.

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and die with him, and pay half a year's cost of his household. But all was to no purpose. The king had not even the manliness of Richard II. at Smithfield, and he took his departure to Kenilworth.¹

The city, thus deserted by its sovereign, knew not for a time what to do. A party within the Common Council itself ventured to open negotiations with the insurgents, and Alderman Cooke^{*} passed to and fro under the safe-conduct of the Captain.² To many it may have seemed doubtful loyalty to support the government of Lord Say and his friends against an oppressed population. On the 1st day of July³ the insurgents entered Southwark. On the 2nd a Common Council was called by the Lord Mayor to provide means for resisting their entry into the city; but the majority voted for their free admission, and Alderman Robert Horne, who was the leading speaker against them, was committed to prison for his boldness. That same afternoon the so-called Mortimer and his followers passed over London Bridge into the city. The Captain, after passing the drawbridge, hewed the ropes asunder with his sword. His first proceedings were marked by order and discipline. He issued proclamations in the king's name against robbery and forced requisitions, but he rode through the different streets as if to place the capital under military government; and when he came to London Stone, he struck it with his sword, saying, 'Now is Mortimer lord of this city.' Finally, he gave instructions to the Lord Mayor about the order to be kept within his jurisdiction, and returned for the night to his quarters in Southwark. On the following morning, Friday the 3rd, he again entered the city, when he caused Lord Say to be sent for from the Tower. That no resistance was made to this demand by Lord Scales, who had the keeping of the fortress, may seem strange. But there was a reason for it which most of the chroniclers do not tell us. The king had

The rebels
enter
London.

¹ W. Worc.—*Three Fifteenth Century Chronicles* (edited by me for the Camden Soc.), 67.—Chronicle in ms. Cott. Vitell. A. xvi.

² Holinshed, iii. 632.

³ I leave this part of the story as it was originally written, though here, too, the chronology seems to require rectification, especially from sources since published, for which the reader may consult Kriehn's work, p. 129.

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been obliged to listen to the grievances of his 'Commons' and to withdraw his protection from his favourites. He had granted a commission 'to certain lords and to the mayor and divers justices, to inquire of all persons that were traitors, extortioners, or oppressors of the king's people.'¹ Lord Say was accordingly formally arraigned at a regular sessions at the Guildhall. But when the unfortunate nobleman claimed the constitutional privilege of being tried by his peers, the pretence of law was finally laid aside. A company of the insurgents took him from the officers and hurried him off to the Standard in Cheap, where, before he was half shriven, his head was cut off and stuck upon a long pole. A son-in-law of his named Crowmer, who was then very unpopular as sheriff of Kent, met with a similar fate. He was beheaded in Cade's presence at Mile End. Barbarity now followed violence. The lifeless heads of Say and Crowmer were carried through the streets, and made to kiss each other. At the same time one Bailey was beheaded at Whitechapel on a charge of necromancy, the real cause of his death being, as it was reported, that he was an old acquaintance of Cade's who might have revealed something of his past history.

It may have been the expectation of inevitable exposure that induced Cade now to relax discipline, and set an example of spoliation himself. He entered and pillaged the house of Philip Malpas, an alderman known as a friend of the Court, and therefore unpopular in the city. Next day he dined at a house in the parish of St. Margaret Pattens, and then robbed his host. At each of these acts of robbery the rabble were sharers of the spoil. But, of course, such proceedings completely alienated all who had anything to lose, and the mayor and aldermen began to devise measures for expelling Cade and his followers from the city. For this end they negotiated with Lord Scales and Matthew Gough, who had then the keeping of the Tower.

For three days successively Cade had entered the city with his men, and retired in the evening to Southwark. But on Sunday, the 5th of July, he for some reason remained in South-

¹ MS. Vitellius A. xvi. fol. 107, quoted by Kriehn, p. 92.

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wark all day. In the evening the mayor and citizens, with a force under Matthew Gough, came and occupied London Bridge to prevent the Kentish men again entering the city. The Captain called his men to arms, and attacked the citizens with such impetuosity, that he drove them back from the Southwark end of the bridge to the drawbridge in the centre. This the insurgents set on fire, after inflicting great losses on the citizens, many of whom were slain or drowned in defending it. Matthew Gough himself was among those who perished. Still, the fight was obstinately contested, the advantage being for the moment now with one party and now with the other. It continued all through the night till nine on the following morning; when at last the Kentish men began to give way, and a truce was made for a certain number of hours.

Battle on
London
Bridge

A favourable opportunity now presented itself for mediation. Although the king had retired to Kenilworth, he had left behind him in London some leading members of his council, among whom were Cardinal Kemp, Archbishop of York,¹ then Lord Chancellor, and Waynflete, Bishop of Winchester. The former had taken refuge in the Tower, under the protection of Lord Scales; and he called to him the latter, who lay concealed at Holywell.² A conference was arranged between them and the insurgents, and both the Cardinal and Bishop Waynflete³ with some others crossed the river and met with Cade in St. Margaret's Church in Southwark. In the end matters were satisfactorily arranged, and the bishop produced two general pardons prepared by the Chancellor, the

¹ Inaccurately called Archbishop of Canterbury by Fabyan and others. He was not translated to Canterbury till 1452.

² Hall's *Chronicle*. Holy Well was a mineral spring to the north of London, much frequented before the Reformation, when it was stopped up as being considered a place of superstitious resort. A century afterwards it was discovered anew by a Mr. Sadler, from whom the locality is named to this day Sadler's Wells.

³ Some doubt seems to be thrown on Hall's statement that both prelates crossed the river, as earlier writers say the Chancellor *sent* pardons under the Great Seal. William Worcester, moreover, makes no mention of the cardinal, but says that the Bishop of Winchester and others of the king's council spoke with the Captain of Kent. But the 'Short English Chronicle' in the *Three Fifteenth Century Chronicles*, edited by me for the Camden Society in 1880 (p. 68), does exactly the reverse, and omitting all reference to the Bishop of Winchester, says: 'And forthewithe went the Chaunseler to the Capteyne and sessed him and gave him a chartur and his men an other.'

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first for the Captain himself, and the second for his followers. The offer was embraced with eagerness. The men were by this time disgusted with their leader, and alarmed at the result of their own acts. By thousands they accepted the amnesty and began to return homewards. But Cade, who knew that his pardon would avail him little when the history of his past life came to be investigated, wisely made friends to himself after the fashion of the Unjust Steward. He broke open the gaols of the King's Bench and Marshalsea, and formed a new company out of the liberated prisoners.¹ He then despatched to Rochester a barge laden with the goods he had taken from Malpas and others in London, and prepared to go thither himself by land. He and his new following appear to have been still in Southwark on the 8th of July, but to have passed through Dartford to Rochester on the 9th, where they continued still in arms against the king on the 10th and 11th.² An attempt they made upon the castle of Queenborough was resisted by Sir Roger Chamberlain, to whom a reward was given in the following year in acknowledgment of his services.³ Meanwhile a proclamation was issued offering a reward of a thousand marks for Cade's apprehension, and ten marks for that of any of his followers; 'for,' says a contemporary chronicler, 'it was openly known that his name was not Mortimer; his name was John Cade; and therefore his charter stood in no strength.'⁴

The feeble remains of the rebellion were already quarrelling about the booty Cade had conveyed out of London. Their leader now took horse and escaped in disguise towards the woody country about Lewes. He was pursued by Alexander Iden, a gentleman who had just been appointed sheriff of Kent in place of the murdered Crowmer. Iden overtook him in a garden at Heathfield, and made him prisoner, not without a scuffle, in which Cade was mortally wounded, so that on being conveyed to London he died on the way. It only remained

Capture
and death
of Cade.

¹ Hall's *Chronicle*.

² See *Act of Attainder*, 29 Hen. vi. *Rolls of Parl.* vi. 224.

³ *Devon's Issue Rolls*, 471. *Davies' English Chron.* 67.

⁴ *Three Fifteenth Century Chronicles*, 68.

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to use his carcass as a terror to evil-doers. His head was cut off and placed upon London Bridge, with the face looking towards Kent. His body was drawn through the streets of London, then quartered, and the quarters sent to four different places very widely apart,—one of them to Blackheath, one to Norwich, one to Salisbury, and one to Gloucester.¹

If the dispersion of traitors' limbs for exhibition in many places could have effectually repressed disloyalty, the whole realm ought now to have been at rest. The quarters of another Kentish rebel, who, under the name of Bluebeard, had raised disturbances in the preceding February, were at that moment undergoing public exhibition in London, Norwich, and the Cinque Ports. Those of two others were about this time despatched by the sheriffs of London to Chichester, Rochester, Portsmouth, Colchester, Stamford, Coventry, Newbury, and Winchester. The heads of all these wretches were set upon London Bridge, which in the course of this miserable year bore no less than twenty-three such horrid ornaments.²

But with all this, sedition was not put down, even in the county of Kent; for I find by the evidence of authentic records that a new rising took place in August at Feversham, under one William Parminter, who, undeterred by the fate of Cade, gathered about him 400 men, and called himself *the second* Captain of Kent. This affair is quite unnoticed by historians, and all I know of it is derived from a pardon to one of those engaged in it.³ But even Parminter was not the last 'Captain of Kent' that made his appearance this year; for the very same title was immediately afterwards assumed by one John Smyth, for whose capture a reward of £40 was ordered to be paid to the Duke of Somerset on the 3rd of October.⁴ And the chroniclers, though they do not mention these disturbances, tell us that such things were general over

Further
disturb-
ances.

¹ W. Worc. Fabyan. Davies' *English Chronicle* (Camden Soc.), 67. Ellis' *Letters*, 2nd Series i. 115.

² Ellis, *ib.* ms. Vitell. A. xvi.

³ See document in Appendix to this Introduction; also Devon's *Issue Rolls*, p. 472. It would seem as if the entry there dated 5th August ought to have been 5th September, as Parminter does not seem to have been taken even on the last day of August.

⁴ Nicolas's *Proceedings of the Privy Council*, vi. 101.

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all the kingdom. In Wiltshire, at the time that Cade was at Blackheath, William Ayscough, Bishop of Salisbury, had one day said mass at Edington, when he was dragged from the altar by a band of his own tenants and murdered in his alb and stole at the top of a neighbouring hill. He was the second bishop who had been murdered that year by the populace. Another insurrection in the same county in August is mentioned in a letter of James Grésham's, the number of the insurgents being reported at nine or ten thousand men.¹ These instances may suffice as evidence of the widespread troubles of the time.

Sir John
Fastolf.

Of the degree of private suffering and misery inflicted in particular cases by these commotions we have a lively picture in Letter 126. At the time when Cade and his followers were encamped upon Blackheath, Sir John Fastolf, a noted warrior of the time, of whom we shall have much to say hereafter, was residing at his house in Southwark. He was a man who had not succeeded in standing well with his contemporaries, and the fact may have contributed not a little to the sensitiveness of a naturally irascible character. In one engagement with the French² he was actually accused of cowardice, a charge which he seems afterwards satisfactorily to have disproved. For some years, however, he had given up soldiering and returned to his native country, where he served the king in a different manner as a member of his Privy Council. But in this capacity too he was unpopular. His advice should have been valuable at least in reference to the affairs of France; but it does not seem to have been taken. The warnings and counsels which he gave with reference to the maintenance of the English conquests in France he caused his secretary, William Worcester, to put in writing for his justification; but though his admonitions were neglected by those to whom they were addressed, popular rumour held him partly accountable for the loss of Normandy. Of this opinion some evidence was given in the course of Cade's insurrection.

As a member of the King's Council Fastolf thought it

¹ See No. 131.

² The Battle of Patay.

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right to send a messenger to ascertain what were the demands of the insurgents. He therefore commanded one John Payn, ^{John Payn and the rebels.} who was in his service, to take a man with him and two of the best horses of his stable, and ride to Blackheath. When he arrived there, Cade ordered him to be taken prisoner. To save his master's horses from being stolen, Payn gave them to the attendant, who galloped away with them as fast as he could, while he himself was brought before the Captain. Cade then asked him what he had come for, and why he had caused his fellow to run away with the horses. He answered that he had come to join some brothers of his wife, and other companions who were among the insurgents. On this some one called out to the Captain that he was a man of Sir John Fastolf's, and that the two horses were Sir John's. The Captain raised a cry of 'Treason!' and sent him through the camp with a herald of the Duke of Exeter before him, in the duke's coat-of-arms. At four quarters of the field the herald proclaimed with an *Oyez* that Payn had been sent as a spy upon them by the greatest traitor in England or France, namely, by one Sir John Fastolf, who had diminished all the garrisons of Normandy, Le Mans, and Maine, and thereby caused the loss of all the king's inheritance beyond sea. It was added that Sir John had garrisoned his place with the old soldiers of Normandy, to oppose the Commons when they came to Southwark; and, as the emissary of such a traitor, Payn was informed that he should lose his head.

He was brought to the Captain's tent, where an axe and block were produced. But fortunately he had friends among the host; and Robert Poynings, Cade's swordbearer and carver, who afterwards married John Paston's sister Elizabeth, declared plainly that there should die a hundred or two others if Payn were put to death. He was therefore allowed to live on taking an oath that he would go to Southwark and arm himself, and return to join the Commons. He accordingly carried to Fastolf a statement of their demands, advising him at the same time to put away his old soldiers and withdraw himself into the Tower. The old warrior felt that the advice was prudent; he left but two of his servants in the place, and

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but for Payn the insurgents would have burned it to the ground. The faithful dependant, however, had to pay the full penalty of his master's unpopularity. He seems to have entertained the rioters for some time at his own cost. Afterwards the Captain took from him some valuable clothes and armour, and sent men to ransack his chamber of bonds, money, and other stores. The insurgents also robbed his house in Kent, and threatened to hang his wife and children. Finally, on the night of the battle on London Bridge, Cade thrust him into the thickest of the combat, where he continued six hours unable to extricate himself, and was dangerously wounded.

To have passed through all this was surely a severe enough trial; yet after that commotion he had further trouble to endure. He was impeached by the Bishop of Rochester, and thrown into the Marshalsea by command of the queen. He was also threatened to be hanged, drawn, and quartered, in order that he might accuse his master Fastolf of treason; but in the end his friends succeeded in procuring for him a charter of pardon. To earn this, however, as we find from the document itself, he had to appear before the king in person, during a progress which he made in Kent the year after the rebellion, and, amid a crowd of other supplicants whose bodies were stripped naked down to their legs, humbly to beg for mercy.¹

The Dukes of York and Somerset

The Duke of York. Cade's rebellion was attributed by the Court to the machinations of the Duke of York. The disturbances that had prevailed for some months previously seem to have been partly associated with his name. When Adam de Moleyns, Bishop of Chichester, was murdered in the beginning of the year, the malcontents talked of inviting York over from Ireland to redress the wrongs of the people. The

¹ See Appendix to Introduction.

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exclusion of York and other lords of royal blood from the king's councils was also made an express ground of complaint by the Kentish insurgents. The repetition of his name in the mouths of the disaffected was anything but grateful to the party then in power. It was construed as being in itself an evidence of his disloyalty. But the popular complaints as to his treatment were both just and reasonable, for it was a matter that concerned the public weal. The rank, wealth, and lineage of the Duke of York, his connection with the blood-royal, his large possessions, and finally his well-proved ability both as a general and an administrator—all marked him out as one who ought to have been invited to take a leading part in the government of the realm; but a faction about the king had taken care to keep him as much as possible at a distance from the Court. Moreover, it had maligned and aspersed him in his absence, so that it would have been positively insecure for himself to allow the charges to accumulate. A time had clearly come when it was no longer his duty to obey the orders of others. His enemies were becoming more and more unpopular every day, and the only hope of improving the administration of affairs depended upon his taking the initiative.

He accordingly determined to avail himself of the privilege due to his rank, and lay his requests at the foot of the throne. A little before Michaelmas he came over from Ireland, collected 4000 of his retainers upon the Welsh Marches, and with them proceeded to London. His coming, although unsolicited by the king and without leave asked, was nevertheless not altogether unexpected. Attempts were made to stop his landing at Beaumaris, and bodies of men lay in wait for him in various places to interrupt his progress. For this, however, he could not have been unprepared. He knew well the hatred entertained towards him at the Court, for he had experienced pretty much the same thing years before in going to Ireland, as now in coming from it. Although he was sent to that country in the king's service, and as the king's lieutenant, there were persons commissioned to apprehend him at several points in his journey thither; and now

Comes
over from
Ireland.

THE PASTON LETTERS

on his return similar efforts were made to prevent his advance to London. As regards himself they were altogether fruitless; but it is not improbable that they succeeded in deterring many of his followers from joining him. William Tresham, the Speaker of the last Parliament, having received a summons from the duke to meet him, was waylaid and murdered in Northamptonshire by a body of the retainers of Lord Grey of Ruthin. For two months the murderers went at large. The sheriff of the county durst not arrest them, and it was only on the meeting of Parliament that a special act was passed for their punishment.¹

York, however, pursued his way, in spite of all opposition, to the royal presence, and great was the dismay of those then about the king. According to an act passed against him nine years later, his approach was not unaccompanied by violence. He and his followers, it is said, came in warlike array to Westminster Palace, and 'beat down the spears and walls' in the king's chamber. If so, we should infer that his access to the king was opposed even at the last moment. But the opposition was ineffectual, and the reception he met with from Henry himself did not indicate that the king at all resented his conduct.

It must have been on his first interview with Henry that he presented a petition and received a reply from him, which are printed in Holinshed as follows:—

Richard, Duke of York : his letter to King Henry²

Please it your Highness to conceive that since my departing out of this your realm by your commandment, and being in your service in your land of Ireland, I have been informed that divers language hath been said of me to your most excellent estate which should sound to my dishonour and reproach and charge of my person; howbeit that I have been, and ever will be, your true liegeman and servant, and if there be any man that will or dare say the contrary or charge me

¹ *Rolls of Parl.* v. 211-12.

² The whole of this correspondence is attributed by Holinshed and Stow to the year 1452; but it appears to me clearly to belong to the year 1450, when the Duke had just returned from Ireland. See *Chronicle of London*, 136; though internal evidence alone will, I think, satisfy the careful student.

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otherwise, I beseech your rightwiseness to call him before your high presence, and I will declare me for my discharge as a true knight ought to do. And if I do not, as I doubt not but I shall, I beseech you to punish me as the poorest man of your land. And if he be found untrue in his suggestion and information, I beseech you of your highness that he be punished after his desert in example of all other.

Please it your Excellency to know that as well before my departing out of this your realm for to go into your land of Ireland in your full noble service, as since, certain persons have lain in wait for to hearken upon me, as Sir John Talbot, knight, at the castle of Holt, Sir Thomas Stanley, knight, in Cheshire, Pulford at Chester, Elton at Worcester, Brooke at Gloucester, and Richard, groom of your chamber, at Beaumaris; which had in charge, as I am informed, to take me, and put me into your castle of Conway, and to strike off the head of Sir William Oldhall, knight, and to have put in prison Sir William Devereux, knight, and Sir Edmund Malso (Mulso), knight, withouten enlarging until the time that your Highness had appointed their deliverance.

Item, at such time as I was purposed for to have arrived at your haven of Beaumaris, for to have come to your noble presence to declare me your true man and subject, as my duty is, my landing was stopped and forebarred by Henry Norris, Thomas Norris, William Buckley, William Grust, and Bartholomew Bould, your officers in North Wales, that I should not land there, nor have victuals nor refreshing for me and my fellowship, as I have written to your Excellency here before; so far forth, that Henry Norris, deputy to the chamberlain of North Wales, said unto me that he had in commandment that I should in no wise have landing, refreshing, nor lodging, for men nor horse, nor other thing that might turn to my worship or ease; putting the blame upon Sir William Say, usher of your chamber, saying and affirming that I am against your intent and [held] as a traitor, as I am informed. And, moreover, certain letters were made and delivered unto Chester, Shrewsbury, and to other places, for to let mine entry into the same.

Item, above all wrongs and injuries above said, done unto me of malice without any cause, I being in your land of Ireland in your honourable service, certain commissions were made and directed unto divers persons, which for the execution of the same sat in certain places, and the juries impanelled and charged. Unto the which juries certain persons laboured instantly to have me indicted of treason, to the intent for to have undone me and mine issue, and corrupted my blood, as it is openly published. Beseeching your Majesty royal of your righteousness to do examine these matters, and thereupon to do

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such justice in this behalf as the cause requireth ; for mine intent is fully to pursue to your Highness for the conclusion of these matters.

The Answer of King Henry to the Duke of York

Cousin, we have seen the bill that ye took us late, and also understand the good humble obedience that ye in yourself show unto us, as well in word as in deed ; wherefore our intent is the more hastily to ease you of such things as were in your said bill. Howbeit that at our more leisure we might answer you to your said bill, yet we let you wit that, for the causes aforesaid, we will declare you now our intent in these matters. Sith it is that a long time among the people hath been upon you many strange language, and in especial anon after your [qu. their ?]¹ disordinate and unlawful slaying of the bishop of Chichester,² divers and many of the untrue shipmen and other said, in their manner, words against our estate, making menace to our own person by your sayings, that ye should be fetched with many thousands, and ye should take upon you that which ye neither ought, nor, as we doubt not, ye will not attempt ; so far forth that it was said to our person by divers, and especially, we remember, of one Wasnes which had like words unto us. And also there were divers of such false people that went on and had like language in divers of our towns of our land, which by our subjects were taken and duly executed. Wherefore we sent to divers of our courts and places to hearken and to take heed if any such manner coming were, and if there had been, for to resist it ; but coming into our land our true subject as ye did, our intent was not that ye, nor less of estate of our subjects, nor none of your servants should not have been letted nor warned, but in goodly wise received ; howbeit that peradventure your sudden coming, without certain warning, caused our servants to do as they did, considering the causes abovesaid. And as to the indictment that ye spoke of, we think verily and hold for certain, that there was none such. And if ye may truly prove that any person was thereabouts, the matter shall be demeaned as the case shall require, so that he shall know it is to our great displeasure. Upon this, for the easing of your heart in all such matters, we declare, repute and admit you as our true and faithful subject, and as our faithful cousin.

¹ I have no doubt this is a misreading of the contracted form 'y^r' which was intended for 'their.' To accuse York of the murder of the Bishop of Chichester, and apparently as a principal, not an accessory in that murder, when he was at the time in Ireland, would have been absurd. Besides, the tenor of the whole of this reply is to exculpate York of all charges

² Misprinted 'Chester' in Holinshed.

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So far, York had gained his object. The charges against him were repudiated by the highest authority in the kingdom. But it was impossible that the matter could rest there. His own interests and those of the public alike compelled him to demand a full inquiry into the machinations of his adversaries, and when admitted to freer intercourse with Henry he was able to support this request by most inconvenient arguments. Town and country now listened with eagerness for news of a long looked-for crisis, while, as it seemed, the old *régime* was being quietly laid aside at Westminster. 'Sir, and it please,' writes one newsmonger, William Wayte, the clerk of Justice Yelverton, 'Sir, and it please, I was in my lord of York's house, and I heard much thing more than my master writeth unto you of. I heard much thing in Fleet Street. But, sir, my lord was with the king, and he visaged so the matter that all the king's household was and is afraid right sore. And my said lord hath put a bill to the king and desired much thing which is much after the Commons' desire; and all is upon justice, and to put all those that be indicted under arrest without surety or mainprise, and to be tried by law as law will; insomuch that on Monday Sir William Oldhall was with the king at Westminster more than two hours, and had of the king good cheer.'¹

Sir William Oldhall, a friend and companion-in-arms of the Duke of York in France, had been summoned to the king's councils more than once before.² But the last occasion was eleven years before this, at a time when it was doubtless felt to be necessary to obtain the sanction beforehand of all parties in the State to the proposed negotiations for peace at Calais. From that day till now we do not hear of him, and we may presume that he was not invited to Court. By the Duke of York's letter just quoted, it would seem that courtiers had planned to have him beheaded. But now the old exclusiveness was defeated. Men whose patriotism and generalship, it was believed, would have averted the loss of France, were at length allowed free access to their sovereign; while

¹ See No. 142.

² Nicolas's *Proceedings of the Privy Council*, iv. 212, v. 108.

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men who were believed to have culpably misdirected the king, and by their favouritism and partiality to have perverted the course of justice throughout the kingdom, stood in fear of a strict inquiry being made into their misdeeds. For such was the sole purport of the 'bill,' or petition presented by the Duke of York as mentioned by William Wayte, the exact text of which will be seen in No. 143. The king's answer to this is preserved in Holinshed as follows :—

The Answer of King Henry to the Duke of York

Cousin, as touching your bill last put up to us, we understand well that ye, of good heart, counsel and advertise us to the setting up of justice and to the speedy punishing of some persons indicted or noised, offering your service to be ready at commandment in the same; sith it is, that for many causes moving us to have determined in our soul to stablish a sad and substantial Council, giving them more ample authority and power than ever we did before this, in the which we have appointed you to be one. But sith it is not accustomed, sure, nor expedient, to take a conclusion and conduct by advice or counsel of one person by himself, for the conservation (?) it is observed that the greatest and the best, the rich and the poor, in liberty, virtue and effect of their¹ voices be equal; we have therefore determined within ourself to send for our Chancellor of England and for other Lords of our Council, yea and all other, together within short time, ripely to common of these and other our great matters. In the which communication such conclusions, by the grace of God, shall be taken, as shall sound to His pleasure, the weal of us and our land, as well in these matters as in any other.

Politics in
Norfolk.

The time was favourable to men like John Paston, who had been wronged by a powerful neighbour such as Lord Molynes, and had been hitherto denied redress. There seemed also a hope of destroying, once for all, the influence of Tuddenham and Heydon in the county of Norfolk. It was proposed that on the Duke of York visiting Norfolk, which he intended to do, the mayor and aldermen of Norwich should ride to meet him, and that complaints should be preferred against the party of Tuddenham and Heydon in the name of the whole city. 'And let that be done,' adds William Wayte,

¹ Misprinted 'your' in Holinshed.

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‘in the most lamentable wise ; for, Sir, but if (*i.e.* unless) my Lord hear some foul tales of them, and some hideous noise and cry, by my faith they are else like to come to grace.’ Owing to the influence of the Duke of York, a new Parliament was summoned to meet in November, and John Paston was urged by some friends to get himself returned as a member. But it was still more strongly recommended that the Earl of Oxford should meet the duke, apparently with the view of arranging the list of candidates—a responsibility which the earl, for his part, seems to have declined. The Duke of Norfolk met with the Duke of York at Bury St. Edmunds, and these two dukes settled that matter between them. The Earl of Oxford modestly contented himself with reporting their decision, and advising that their wishes should be carried into effect.¹

The Parliament met on the 6th November, and Sir William Oldhall was chosen Speaker. About the same time a commission of *Oyer and Terminer* which had been issued as early as the first of August,² began its labours at Norwich, and the Earl of Oxford stayed away from Parliament to attend it. Mr. Justice Yelverton was sent down from Westminster to sit on that tribunal along with him. There seemed hope at last of redress being had for the wrongs and violence that had prevailed in the county of Norfolk ; but the course of justice was not yet an easy one. Great pressure had been put upon the king, even at the last moment, that Yelverton should be countermanded, and Lord Molynes had spoken of his own dispute with Paston in the king’s presence in a manner that made the friends of the latter wish he had been then at Westminster to see after his own interests. The Lords of the Council, however, determined that Yelverton should keep

¹ Nos. 142, 145, 148, and 149. The influence of a powerful nobleman on the elections was evidently quite a matter of course. What use York made of it, or attempted to make of it, cannot so easily be determined. Of the two candidates proposed by him for the county of Norfolk, only one was returned, the name of Sir Miles Stapleton being substituted for that of Sir William Chamberlain (*see* vol. ii. p. 185 note 1). It appears from two of the above cited letters that Stapleton was a favourite candidate with the Pastons and their friends, and that he was urged to wait on the Duke of York on his coming to Norwich.

² *See* No. 119.

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his day for going into Norfolk. When he arrived there, he had occasion to report that there were many persons ill-disposed towards Tuddenham and Heydon, but that it was most important they should be encouraged by a good sheriff and under-sheriff being appointed, else there would be a total miscarriage of justice. For the annual election of sheriffs had been delayed this year, apparently owing to the state of parties. Until the Duke of York arrived in London for the Parliament, his friends would not allow them to be nominated; and the state of suspense and anxiety occasioned by this delay is clearly shown in the letters written during November.¹

The truth is, the Duke of York had not yet succeeded in establishing the government upon anything like a firm or satisfactory basis. In times like our own there is little difficulty in determining the responsibility of ministers; but in the rough judgment of the 'Commons' of those days an error in policy was nothing short of treason. Whoever took upon him to guide the king's counsels knew very well the danger of the task; and York (if I understand his character aright) was anxious, until he was driven desperate, never to assume more authority than he was distinctly warranted in doing. He could not but remember that his father had suffered death for conspiring to depose Henry v., and that his own high birth and descent from Edward III. caused his acts to be all the more jealously watched by those who sought to estrange him from his sovereign. He therefore made it by no means his aim to establish for himself a marked ascendancy. He rather sought to show his moderation. I find, indeed, that at this particular period he not only removed two members of the Council, Lord Dudley and the Abbot of St. Peter's at Gloucester, but sent them prisoners to his own castle of Ludlow.² This, however, he could hardly have done without permission from the king, as it was the express object of his petition above referred to, that persons accused of misconducting themselves in high places should be committed for trial; and judging from the terms of the king's answer, I should say that it must have been done by

¹ Nos. 151, 153, 154, 155, 156.

² Stow's *Chronicle*, p. 392.

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the authority of the new Council, which Henry therein declared it to be his intention to constitute.

This new Council was probably what we should call in ^{The Duke} these days a coalition ministry. York's great rival, the Duke of Somerset, had come over from Normandy a little before ^{set.} York himself came over from Ireland. On the 11th of September, while Cardinal Kemp, who was then Lord Chancellor, was sitting at Rochester on a commission of *Oyer and Terminer* to try the Kentish rebels,¹ he affixed the Great Seal to a patent appointing Somerset Constable of England.² In that capacity, as we have already seen, the duke arrested one of the new Kentish leaders that started up after Cade's rebellion had been quelled. There is no doubt that he stood high in the king's confidence, and that he was particularly acceptable to Queen Margaret. He was, nevertheless, one of the most unpopular men in England, on account of his surrender of Caen and total loss of Normandy in the preceding year; and as the Parliament was now called, among other reasons, expressly to provide for the defence of the kingdom, and for speedy succours being sent to preserve the king's other dominions in France,³ it was impossible that his conduct should not be inquired into. The short sitting of Parliament before Christmas was greatly occupied by controversy between York and Somerset.⁴ On the 1st of December the latter was placed under arrest. His lodgings at the Black Friars were broken into and pillaged by the populace, and he himself was nearly killed, but was rescued from their violence by a barge of his brother-in-law the Earl of Devon. Next day the Dukes of York and Norfolk caused proclamation to be made through the city that no man should commit robbery on pain of death, and a man was actually beheaded in Cheap for disobeying this order. As a further demonstration against lawlessness, the king and his lords, on Thursday the 3rd December, rode through the city in armour, either side of the way being kept by a line of armed citizens throughout the route of the

¹ See vol. ii. pp. 161-2.

² *Rolls of Parl.* v. 210.

³ Rymer, xi. 276.

⁴ W. Worc.

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procession. It was the most brilliant display of the kind the Londoners of that day had ever seen.¹

The Duke of Somerset did not long remain in prison. Very soon after Christmas the king made him captain of Calais, and gave him the entire control of the royal household.² The Court was evidently bent on the restoration of the old order of things, so far as it dared to do so. The chief obstacle to this undoubtedly was the Parliament, which was, on the whole, so favourable to the Duke of York, that one member, Young of Bristol, had even ventured to move, that he should be declared heir to the crown.³ Parliament, however, could be prorogued; and, as Young found shortly afterwards, its members could be committed to the Tower. The speech of the Lord Chancellor on the meeting of Parliament had declared that it was summoned for three important causes: first, to provide for the defence of the kingdom, and especially the safeguard of the sea; secondly, for the speedy relief of the king's subjects in the south of France, and aid against the French; thirdly, for pacifying the king's subjects at home, and punishing the disturbances which had lately been so frequent. But practically nothing was done about any of these matters before Christmas. An act was passed for the more speedy levying of a subsidy granted in the last Parliament, and also an act of attainder against the murderers of William Tresham. The Lord Chancellor then, in the king's name and in his presence, prorogued the Parliament till the 20th of January, declaring that the matters touching the defence of the kingdom were too great and difficult to be adequately discussed at that time. The same excuse, however, was again used for further prorogations until the 5th of May; and meanwhile fears began to be entertained in the country that all that had been done hitherto for a more impartial administration of justice was about to be upset.⁴

¹ MS. Cott. Vitell. A. xvi. Stow in his *Chronicle* dates this procession a day later.

² W. Worc.

³ *The Chronicle of London* (p. 137) says that 'all the Commons' agreed to this proposition, and stood out for some time against the Lords on the subject.

⁴ *Rolls of Parl.* v. 210-14.

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During the whole course of the succeeding year matters A.D. 1451. were in a very unsettled condition. At the very opening of the year we hear complaints that the sheriff, Jermyn, had not shown himself impartial, but was endeavouring to suppress complaints against certain persons at the coming sessions at Lynn. It was feared the king would pardon Tuddenham and Heydon the payment of their dues to the Exchequer for Suffolk; and if they did, payment of taxes would be generally refused, as Blake, the Bishop of Swaffham, having gone up to London, informed the Lord Chancellor himself. From London, too, men wrote in a manner that was anything but encouraging. The government was getting paralysed alike by debt and by indecision. 'As for tidings here,' writes John Bocking, 'I certify you all is nought, or will be nought. The king borroweth his expenses for Christmas. The King of Arragon, the Duke of Milan, the Duke of Austria, the Duke of Burgundy, would be assistant to us to make a conquest, and nothing is answered nor agreed in manner save abiding the great deliberation that at the last shall spill all together.' Chief-Justice Fortescue had been for a week expecting every night to be assaulted.¹ The only symptom of vigour at headquarters was the despatch of a commission of *Oyer and Terminer* into Kent, for the trial of those who had raised disturbances during the preceding summer. As for the county of Norfolk, the only hope lay in a strong clamour being raised against oppressors. Sir John Fastolf showed himself anxious about the prosecution of certain indictments against Heydon, and his servant Bocking, and Wayte, the servant of Judge Yelverton, urged that strong representations should be made to Lord Scales against showing any favour to that unpopular lawyer.²

By and by it was seen what good reason the friends of Tuddenham and Heydon had for their apprehensions. It had been arranged that Tuddenham and Heydon should be indicted at a sitting of the

¹ In earlier issues of this Introduction was added: 'probably for no other reason than his high impartiality.' Mr. Plummer, I find, who knows him better, has not the same opinion of Fortescue's impartiality as a politician, but considers that he was in danger just because he was so strong a Lancastrian. See Introduction to *The Governance of England*, p. 50.

² Nos. 167, 169-174.

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commission of *Oyer and Terminer* at Norwich in the ensuing spring. Rumours, however, began to prevail in Norwich that they who had promoted this commission in the county of Norfolk—the Earl of Oxford and Justice Yelverton, as well as John Paston and John Damme—were to be indicted in Kent by way of revenge. John Damme had before this caused Heydon to be indicted of treason for taking down one of those hideous memorials of a savage justice—the quarter of a man exposed in public. The man was doubtless a political victim belonging to Heydon's own party; but Heydon was now looking to recover his influence, and he contrived to get the charge of treason retorted against Damme. Symptoms were observed in Norwich that the unpopular party were becoming bolder again. 'Heydon's men,' wrote James Gloys to John Paston, 'brought his own horse and his saddle through Aylesham on Monday, and they came in at the Bishop's Gates at Norwich, and came over Tombland and into the Abbey; and sithen they said they should go to London for Heydon. Item, some say that Heydon should be made a knight, and much other language there is which causeth men to be afeard, weening that he should have a rule again.'¹

Full well might Sir John Fastolf and others apprehend that if Heydon or Tuddenham appeared in answer to the indictment, it would be with such a following at his back as would overawe the court. No appearance was put in for them at all at several of the sessions of *Oyer and Terminer*. One sitting was held at Norwich on the 2nd of March. Another was held just after Easter on the 29th of April, and Justice Prisot, not the most impartial of judges, was sent down to Norwich to hold it. Strong complaints were put in against Tuddenham and Heydon on the part of the city of Norwich, and also by the town of Swaffham, by Sir John Fastolf, Sir Harry Inglos, John Paston, and many others; but, as Fastolf's chaplain afterwards informed his master, 'the judges, by their wilfulness, might not find in their heart to give not so much as a beck nor a twinkling of their eye toward, but took it to derision, God reform such partiality!' The one-sidedness of

¹ Nos. 179 and 180.

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Prisot, indeed, was such as to bring down upon him a rebuke from his colleague Yelverton. 'Ah, Sir Mayor and your brethren,' said the former, 'as to the process of *your* complaints we will put them in continuance, but in all other we will proceed.' Yelverton felt bound to protest against such unfairness. Yet even this was not the worst; for Prisot, seeing that, with all he could do, the result of the proceedings at Norwich would scarcely be satisfactory to Tuddenham and Heydon, took it upon him, apparently by his own authority, to remove them to Walsingham, where they had most supporters. And there, accordingly, another session was opened on Tuesday the 4th of May.¹

Partial
justice.

It was, according to Sir Thomas Howys, 'the most partial place of all the shire.' All the friends and allies of Tuddenham and Heydon, knights and squires, and gentlemen who had always been devoted to their pleasure, received due warning to attend. A body of 400 horse also accompanied the accused, and not one of the numerous complainants ventured to open his mouth except John Paston. Even he had received a friendly message only two days before that he had better consider well whether it was advisable to come himself, as there was 'great press of people and few friends'; and, moreover, the sheriff was 'not so whole' as he had been. What this expression meant required but little explanation. As Sheriff of Norfolk, John Jermyn was willing to do Paston all the service in his power, but simple justice he did not dare to do.²

He had but too good an excuse for his timidity. Of John Paston's complaint against Tuddenham and Heydon we hear no more; we can easily imagine what became of it. But we know precisely what became of an action brought by Paston at this sessions against his old adversary Lord Molynes, for his forcible expulsion from Gresham in the preceding year. John Paston, to be sure, was now peaceably reinstated in the possession of that manor;³ but he had the boldness to conceive that undermining his wife's chamber, turning her forcibly out of doors, and then pillaging the

John
Paston
and Lord
Molynes.

¹ Nos. 119, 185, 186, 192.

² Nos. 189, 192.

³ No. 178.

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whole mansion, were acts for which he might fairly expect redress against both Lord Molynes and his agents. He had accordingly procured two indictments to be framed, the first against his lordship, and the second against his men. But before the case came on at Walsingham, Sheriff Jermyn gave notice to Paston's friends that he had received a distinct injunction from the king to make up a panel to acquit Lord Molynes.¹ Royal letters of such a tenor do not seem to have been at all incompatible with the usages of Henry vi.'s reign. John Paston himself said the document was one that could be procured for six-and-eightpence.

There was no hope, therefore, of making Lord Molynes himself responsible for the attack on Gresham. The only question was whether the men who had done his bidding could not be made to suffer for it. After the acquittal of their master, John Osbern reports a remarkable conversation that he had with Sheriff Jermyn in which he did his best to induce him to accept a bribe in Paston's interest. The gift had been left with the under sheriff for his acceptance. Jermyn declined to take it until he had seen Paston himself, but Osbern was fully under the impression that he would be glad to have it. Osbern, however, appealed also to other arguments. 'I remembered him,' he tells Paston, 'of his promises made before to you at London, when he took his oath and charge, and that ye were with him when he took his oath and other divers times; and for those promises made by him to you at that time, and other times at the *Oyer and Terminer* at Lynn, ye proposed you by the trust that ye have in him to attempt and rear actions that should be to the avail of him and of his office.' The prospect of Paston being valuable to him as a litigant had its weight with the sheriff, and he promised to do him all the good in his power except in the action against Lord Molynes' men; for not only Lord Molynes himself but the Duke of Norfolk had written to him to show them favour, and if they were not acquitted he expected to incur both their displeasure and the king's. In vain did Osbern urge that Paston would

¹ No. 189.

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find sufficient surety to save the sheriff harmless. Jermyn said he could take no surety over £100, and Lord Molynes was a great lord who could do him more injury than that.¹

The diplomacy on either side seems to have been conducted with considerable *finesse*. Jermyn declared that he had been offered twenty nobles at Walsingham in behalf of the Lord Molynes, but that he had never received a penny either from him or from any of Paston's adversaries. Osbern then offered if he would promise to be sincere towards Paston, that the latter would give him a sum in hand, as much as he could desire, or would place it in the hands of a middle man whom Jermyn could trust. In the end, however, he was obliged to be satisfied with Jermyn's assuring him that if he found it lay within his power to do anything for Paston, he would take his money with good will. The negotiator's impression was that he was fully pledged to get Lord Molynes' men acquitted, but that in all other actions he would be found favourable to Paston.²

About this time Parliament, which had now been pro-Parliament. rogued for nearly five months, met again at Westminster. The king's necessities were doubtless the all-sufficient cause why its meeting could no longer be dispensed with. The Crown was already in debt to the sum of £372,000, and was daily becoming more so. The expenses of the royal household amounted to £24,000 a year, while the yearly revenue out of which they should have been paid was only £5000. Nor was it by any means advisable to remedy the matter by imposing fresh taxation; for the people were so impoverished by the payment of subsidies, the exactions of the king's purveyors, and the general maladministration of justice, that the experiment could hardly have been made with safety. An act of resumption was the only expedient by which it seemed possible to meet the difficulty; and all grants of crown lands made to any persons since the first day of the reign were accordingly recalled by statute.³ In return for this the Commons preferred a petition to the king that he would for ever remove from his presence and counsels a number

¹ No. 193.

² *Ibid.*

³ *Rolls of Parl.* v. 217.

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of persons to whom they alleged it was owing both that his possessions had been diminished, and that the laws had not been carried into execution. Foremost on the list was the Duke of Somerset; and with him were named Alice, widow of the late Duke of Suffolk, William Booth, Bishop of Chester (that is to say, of Coventry and Lichfield),¹ Lord Dudley, Thomas Daniel, and twenty-five others. It was petitioned that they should never again be permitted to come within twelve miles of the royal presence, on pain of forfeiture of lands and goods. But the days had not yet come when a petition against ministers by the Commons was tantamount to their dismissal. The king indeed felt it best on this occasion to yield somewhat; but he yielded on no principle whatever. He declared in reply that he himself saw no cause for their removal; but he was content to dismiss the most of them for a year, during which period accusations brought against any of them might be inquired into. Those who were Peers of the realm, however, he refused to send away; and he insisted on retaining the services of one or two others who had been accustomed continually to wait upon him.²

Parliament seems shortly after this to have been dissolved, and no parliament met again till two years later. Of course the influence of Somerset increased when both Lords and Commons were dismissed into the country; and we perceive that by the end of the year Thomas Daniel, one of the old unpopular adherents of the Duke of Suffolk, who, nevertheless, had not always been acceptable to the Court, was expecting to recover favour by means of Somerset.³ He is represented as having cultivated the Duke's friendship for a quarter of a year; so that we may conclude Somerset's ascendancy was at this time unmistakable. With what degree of discretion he made use of it there is little evidence to show. One advantage that Daniel hoped to gain through his influence was the friendship of Tuddenham and Heydon, by whose means, and by the

¹ The modern see of Chester was separated from this diocese in the time of Henry VIII.

² *Rolls of Parl.* v. 216.

³ No. 206. Daniel had been out of favour at one time during Suffolk's ascendancy. See No. 75, p. 86.

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good offices of Lord Scales, he expected to be allowed to re-enter the manor of Bradeston, of which he had already dispossessed one Osbert Munford last year, but had subsequently been dispossessed himself. The value of a disputed title in any part of England probably depended very much upon who was supreme at Court.

But high as Somerset stood in the king's favour, the course of events did not tend to make him more acceptable to the people. The loss of Normandy, in the preceding year, was itself a thing not likely to be readily forgotten; but the misfortunes of the English arms did not end with the loss of Normandy. So great, indeed, was the despondency occasioned by that event that, in the opinion of French writers, Calais itself would not have been able to hold out if the French had immediately proceeded to attack it. But Charles was afraid he might have been deserted by the Duke of Burgundy, whose interests would hardly have been promoted by the French king strengthening himself in that quarter, and he declined to attempt it.¹ Relieved, however, of the necessity of maintaining a large force in Normandy, he found new occupation for his troops in completing the conquest of Guienne, of which a beginning had already been made by the capture of Cognac and of some places near Bayonne and the Pyrenees. In November 1450 the French laid siege to Bourg and Blaye on the Garonne, both of which places capitulated in the spring of the following year. They were the keys of the more important city of Bordeaux, which, now perceiving that there was no hope of succour from England, was obliged to follow their example. This was in June 1451. Two months afterwards Bayonne, too, was obliged to capitulate; and with it the whole of Gascony and Guienne was as completely lost to the English as Normandy had been in the preceding year. Calais was now all that remained to them of their conquests and possessions in France; nor were they without considerable apprehension that they might be expelled from Calais too.

These disasters, which were but the natural sequel to the

¹ Basin, i. 247-48.

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loss of Normandy, only served to make more bitter the reflection how the government of that duchy had been taken out of the able hands of the Duke of York and given to the incompetent Somerset. The jealousy with which the latter regarded his rival was heightened by the consciousness of his own unpopularity. The Duke of York was living in seclusion at his castle of Ludlow, but Somerset seems to have regarded him with daily increasing apprehension. He was continually instilling into the king distrust of York's fidelity as a subject; until at last the latter thought it expedient to make a public declaration of his loyalty. He accordingly issued the following manifesto:—

York's
manifesto.

A.D. 1452. Forasmuch as I, Richard Duke of York, am informed that the King, my sovereign lord, is my heavy lord, greatly displeased with me, and hath in me a distrust by sinister information of mine enemies, adversaries, and evil-willers, where[as] God knoweth, from whom nothing is hid, I am, and have been, and ever will be, his true liegeman, and so have I before this, divers times, as well by mouth as by writing, notified and declared to my said sovereign lord: And for that this notice so comen unto me of the displeasure of my said sovereign lord is to me so grievous, I have prayed the reverend father in God, the Bishop of Hereford,¹ and my cousin the Earl of Shrewsbury, to come hither and hear my declaration in this matter; wherein I have said to them that I am true liegeman to the King my sovereign lord, ever have been, and shall be to my dying day. And to the very proof that it is so, I offer myself to swear that on the blessed Sacrament, and receive it, the which I hope shall be my salvation at the day of doom. And so for my special comfort and consolation I have prayed the said lords to report and declare unto the King's highness my said offer; and to the end and intent that I will be ready to do the same oath in presence of two or three lords, such as shall please the King's highness to send hither to accept it. In witness whereof I have signed this schedule with my sign manual, and set thereunto my signet of arms. Written in my castle of Ludlow, the 9th of January, the 30th year of the reign of my sovereign lord, King Henry the Sixth.²

He appears to have waited nearly a month to learn the effect of this remonstrance. Meanwhile reports came that the French were advancing to lay siege to Calais. At such a juncture it was peculiarly intolerable that the administration of

¹ Reginald Butler or Boulers, whose appointment to the see, dated 23rd December 1450, was no doubt due to the Duke of York's influence.

² Stow's *Chronicle*, p. 393.

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affairs should still be intrusted to hands so notoriously incompetent as those of Somerset ; and York, as being the only man who could stir in such a matter with effect, now made up his mind to take active steps for Somerset's removal. Nothing, however, could be done for such an object without a considerable force of armed men to support him. York accordingly issued the following address to the burgesses of Shrewsbury :—

Right worshipful friends, I recommend me unto you ; and I suppose it is well known unto you, as well by experience as by common language said and reported throughout all Christendom, what laud, what worship, honour, and manhood, was ascribed of all nations unto the people of this realm whilst the kingdom's sovereign lord stood possessed of his lordship in the realm of France and duchy of Normandy ; and what derogation, loss of merchandize, lesion of honour, and villany, is said and reported generally unto the English nation for loss of the same ; namely (*i.e.* especially) unto the Duke of Somerset, when he had the commandance and charge thereof : the which loss hath caused and encouraged the King's enemies for to conquer and get Gascony and Guienne, and now daily they make their advance for to lay siege unto Calais, and to other places in the marches there, for to apply them to their obeisance, and so for to come into the land with great puissance, to the final destruction thereof, if they might prevail, and to put the land in their subjection, which God defend. And on the other part it is to be supposed it is not unknown to you how that, after my coming out of Ireland I, as the King's true liegeman and servant (and ever shall be to my life's end) and for my true acquittal, perceiving the inconvenience before rehearsed, advised his Royal Majesty of certain articles concerning the weal and safeguard, as well of his most royal person, as the tranquillity and conservation of all this his realm : the which advertisements, howbeit that it was thought that they were full necessary, were laid apart, and to be of none effect, through the envy, malice, and untruth of the said Duke of Somerset ; which for my truth, faith, and allegiance that I owe unto the King, and the good will and favour that I have to all the realm, laboreth continually about the King's highness for my undoing, and to corrupt my blood, and to disinherit me and my heirs, and such persons as be about me, without any desert or cause done or attempted, on my part or theirs, I make our Lord Judge. Wherefore, worshipful friends, to the intent that every man shall know my purpose and desire for to declare me such as I am, I signify unto you that, with the help and supportation of Almighty God, and of Our Lady, and of all the Company of Heaven, I, after long sufferance and delays, [though it is] not my will or intent

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to displease my sovereign lord, seeing that the said Duke ever prevaieth and ruleth about the King's person, [and] that by this means the land is likely to be destroyed, am fully concluded to proceed in all haste against him with the help of my kinsmen and friends; in such wise that it shall prove to promote ease, peace, tranquillity, and safeguard of all this land: and more, keeping me within the bounds of my liegeance, as it pertaineth to my duty, praying and exhorting you to fortify, enforce, and assist me, and to come to me with all diligence, wheresoever I shall be, or draw, with as many goodly and likely men as ye may, to execute the intent abovesaid. Written under my signet at my castle of Ludlow, the 3rd day of February.

Furthermore I pray you that such strait appointment and ordinance be made that the people which shall come in your fellowship, or be sent unto me by your agreement, be demeaned in such wise by the way, that they do no offence, nor robbery, nor oppression upon the people, in lesion of justice. Written as above, etc.

Your good friend,

R. YORK.¹

To my right worshipful friends, the bailiffs, burgesses
and commons of the good town of Shrewsbury.

York
marches
towards
London.

Having thus collected a sufficient body of followers, the duke began his march to London. The Earl of Devonshire, Lord Cobham, and other noblemen also collected people and joined him.² The king and Somerset, however, being informed of his intentions, set out from the capital to meet him, issuing, at the same time, an imperative summons to Lord Cobham, and probably to the duke's other adherents, to repair immediately to the royal presence.³ But the duke, who had no desire to engage the king's forces, turned aside and hoped to reach London unmolested. He sent a herald before him to desire liberty for himself and his allies to enter the city; but strict injunctions to the contrary had been left by the king, and his request was refused. Disappointed in this quarter, it was natural that he should look for greater sympathy in Kent, where, doubtless, smouldered still the remains of past disaffection. He accordingly crossed the Thames at Kingston Bridge,

¹ Ellis's *Letters*, First Series, i. 11-13.

² *English Chronicle* (ed. Davies), 69.

³ Nicolas's *Privy Council Proceedings*, vi. 116. According to Fabyan, the king and Somerset set out on the 16th of February. The summons to Lord Cobham, though dated Westminster, was issued on the 17th.

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and proceeded with his host to Dartford. The king's army followed and pitched their camp upon Blackheath. And so, on the 1st of March 1452, there lay, within eight miles of each other, two formidable hosts, which any further movement must apparently bring into collision.

To judge from one contemporary account,¹ the duke's position must have been a strong one. He had a body of ordnance in the field, with no less than 3000 gunners. He himself had 8000 men in the centre of his position; while the Earl of Devonshire lay to the south with another detachment of 6000, and Lord Cobham by the river-side commanded an equal force. Seven ships lay on the water filled with the baggage of the troops. But the strength of the king's army appears to have largely exceeded these numbers;² and even if the duke had wished to provoke a conflict, it was evidently more prudent to remain simply on the defensive. He accordingly left the responsibility of further action to those of the king's party.

In this crisis the lords who were with the king took counsel together, and determined, if possible, to labour for a compromise.³ An embassy was appointed to go to the Duke of York, and hear what he had to say. It consisted of the wise and good prelate Waynflete, Bishop of Winchester, and Bouchier, Bishop of Ely (afterwards Archbishop of Canterbury), the Earls of Salisbury and Warwick, Lord Beauchamp, Lord Sudeley, and some others. The answer made by York was, that no ill was intended against either the king or any of his Council; that the duke and his followers were lovers of the commonweal; but that it was their intention to remove from the king certain evil-disposed persons, through whose means the common people had been grievously oppressed. Of these the Duke of Somerset was declared to be the chief; and, indeed, his unpopularity was such that even those on the

¹ *Cottonian Roll*, ii. 23. See Appendix to this Introduction.

² *Rolls of Parl.* v. 346. The statement in the Act of Attainder passed against the Duke of York seven years afterwards, that he was 'of no power to withstand' the king on this occasion, is liable to suspicion, but it is confirmed by the testimony of Whethamstede, 348.

³ 'The Lords, both spiritual and temporal, took the matter in hand.' *Three Fifteenth Century Chronicles* (Camden Soc.), 69. So also *Chronicle of London*, 137.

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king's side would seem to have seconded the Duke of York's demand. After a consultation the king consented that Somerset should be committed to custody until he should make answer to such charges as York would bring against him.¹

Nothing more seemed necessary to avert civil war. On a simple pledge given by the king that Somerset should be placed in confinement, and afterwards put on his trial, the Duke of York at once broke up his camp and ordered his men home. He then repaired himself to the king's tent to express his loyalty. But no sooner had he arrived there than he found
York is
entrapped, he was deceived. The king, in violation of his promise, kept the Duke of Somerset attending upon him as his chief adviser, and York was virtually a prisoner. He was sent on to London in advance of the king, in a kind of honourable custody, attended by two bishops, who conducted him to his own residence; but what to do with him when he got there was a difficulty. His enemies feared to send him to the Tower. There were 10,000 men yet remaining in the Welsh Marches, who, on such a rumour, would have come up to London; and it was not very long before they were reported to be all under arms, and actually on the march, with the duke's young son at their head—Edward, Earl of March, boy as he was, not yet quite ten years old.²

York had distinctly accused the Duke of Somerset as a traitor. He was now in Somerset's power, but the latter did not dare to retort the charge upon him. Yet if Somerset was not a traitor, the course pursued by York was utterly indefensible. He had actually taken up arms against the Crown, to remove by force the minister in whom the king had placed his confidence. But unfortunately Somerset knew too well that if he made this a ground of accusation against his rival, recrimination would be sure to follow, and he himself would incur a weight of public odium which might possibly lead to the same result as in the case of Suffolk. The wisest and most politic course for himself was not to impeach the Duke of York, but,

¹ Fabyan.

² Fabyan. *Three Fifteenth Century Chronicles*, 69, and the ms. Chronicle, Vitell. A. xvi.

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if possible, to shut his mouth and let him go free. No accusation, therefore, was drawn up. An oath of allegiance, ^{and compelled to swear} binding him over to keep the peace in time coming, was all that was required. It was on the 1st of March that York had repaired to the king's tent and found himself in his rival's power. On the 10th he was brought to St. Paul's, and there publicly made oath as follows :—

I, Richard, Duke of York, confess and beknow that I am and ought to be humble subject and liegeman to you, my sovereign Lord, King Henry the Sixth, and owe therefore to bear you faith and truth as to my sovereign lord, and shall do all the days unto my life's end; and shall not at any time will or assent, that anything be attempted or done against your noble person, but wheresoever I shall have knowledge of any such thing imagined or purposed I shall, with all the speed and diligence possible to me, make that your Highness shall have knowledge thereof, and even do all that shall be possible to me to the withstanding thereof, to the utterest of my life. I shall not in no wise any thing take upon me against your royal estate or the obeisance that is due thereto, nor suffer any other man to do, as far forth as it shall lie in my power to let it; and also I shall come at your commandment, whensoever I shall be called by the same, in humble and obeisant wise, but if [*i.e.* unless] I be letted by any sickness or impotency of my person or by such other causes as shall be thought reasonable to you, my sovereign lord. I shall never hereafter take upon me to gather any routs, or make any assembly of your people, without your commandment or licence, or in my lawful defence. In the interpretation of which my lawful defence, and declaration thereof, I shall report me at all times to your Highness, and, if the case require, unto my peers: nor anything attempt by way of faite against any of your subjects, of what estate, degree, or condition that they be. But whensoever I find myself wronged or aggrieved, I shall sue humbly for remedy to your Highness, and proceed after the course of your laws, and in none other wise, saving in mine own lawful defence in manner above said; and shall in all things abovesaid and other have me unto your Highness as an humble and true subject ought to have him to his Sovereign Lord.

All these things above said I promise truly to observe and keep, by the Holy Evangelists contained in this book that I lay my hand upon, and by the Holy Cross that I here touch, and by the blessed Sacrament of our Lord's body that I shall now with His mercy receive. And over this I agree me and will that if I any time hereafter, as with the grace of our Lord I never shall, anything attempt by way of fear or otherwise against your royal majesty and obeisance that I owe thereto,

THE PASTON LETTERS

or anything I take upon me otherwise than is above expressed, I from that time forth be unable, [held and taken as an untrue and openly forsworn man, and unable]¹ to all manner of worship, estate, and degree, be it such as I now occupy, or any other that might grow unto me in any wise.

And this I here have promised and sworn procéedeth of mine own desire and free voluntee and by no constraining or coercion. In witness of all the which things above written I, Richard, Duke of York above named, subscribe me with mine own hand and seal, with this mine own seal, &c.²

With this guarantee for his future loyalty, the duke was permitted to return into his own country.

Somerset might well be pleased that the matter should be settled thus ; for if the charges York brought, or at least was prepared to have brought, against him were only one-half true (and some of them certainly were true altogether), his administration of the Duchy of Normandy was a mixture of indiscretion and dishonesty at which the nation had good right to be indignant. We have already seen how in concert with the Duke of Suffolk he had authorised a perfidious breach of the truce with France in the capture of Fougères. We have also seen how ill prepared he was for the consequences ; how he discovered too late the weakness of all the garrisons ; how the French king recovered town after town, and the English were finally expelled from Normandy in less than a year and a half after the unjustifiable outrage. But if any credit may be given to the further charges brought against him by the Duke of York,—charges which agree only too well with the character attributed to him by the most impartial authorities³—Somerset had himself to blame in great measure for the defenceless condition of the country committed to his pro-

York's
charges
against
Somerset.

¹ These words are not in the copy in the *Rolls of Parliament*, but they occur in that given in Holinshed's *Chronicle*.

² *Rolls of Parl.* v. 346.

³ The character given of the Duke of Somerset by the contemporary historian Basin is on the whole favourable, and may be supposed to be impartial. He describes him as handsome in person, gentle and urbane in manner, and well inclined towards justice ; but all these graces were marred by an insatiable avarice which would not let him rest content with the immense wealth he had inherited from Cardinal Beaufort ; and by continually coveting the riches of others he brought ruin on himself. Basin, i. 193.

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tection. On his first going into Normandy he had jobbed the offices under his control. For the sake of private emolument he had removed a number of trusty and experienced captains, filling their places with creatures of his own, or men who had paid *douceurs* for their posts; and only on receipt of still greater bribes would he consent to restore any of those that had been put out. He had, however, actually reduced many garrisons, while he had taxed the inhabitants of the Duchy beyond all reason for the means of defence. His administration of justice, too, had been such as to excite the most vehement dissatisfaction, and had made the whole native population impatient of English government. He had, moreover, pocketed the compensation given by France to the dispossessed Englishmen of Anjou and Maine. Worse still, after all his maladministration and ill success, he had prevailed on the king to make him captain of Calais, which it seemed as if he was on the point of losing also in as careless and culpable a manner as he had already lost Normandy.

Here, however, is the full text of the accusation,¹ as prepared by York himself:—

Thies articles and pointes folowyng yeve, shewe and ministre I, Richard Duc of York, youre true liegman and servaunt unto youre highnesse, summarily purposyng and declaryng thaym ayeinst Edmond Duc of Somerset for the grete welfare and the comen availle and interesse of youre mageste Roiall and of this youre noble roialme, aswell to bryng to knowlege and understandyng the meanes and causes of the grete myscheves and inconvenientz which late befe[1] unto this youre said noble roiaime, as in losse of youre lyvelode by yonde thee see and otherwyse in ponishment of deservitours and excuse of innocencie, and also in puttyng aside and eschuyng of the grete and importable hurte and prejudice which ben like, withouten that purviaunce be had of remedie, to succede in shorte tyme. To the which articles and every of theym I, the seid Duc of York, desire of youre egall and indifferent rightwesnesse that the seid Edmond answer by his feith and trouth,

¹ Printed in this Introduction for the first time from the original in the Cottonian ms., Vesp. C. xiv. f. 40. The first paragraph of this document is quoted by Stowe in his *Chronicle*, p. 397, and the charges are referred by him to the thirty-third year of the king's reign, *i.e.* the latter part of A.D. 1454, which is certainly erroneous. The date which he intended, indeed, was the latter part of the year 1453, when the Duke of Somerset was arrested and sent to the Tower; but this date also is quite impossible.

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the sacrement of his othe thereuppon made, duly and truly as lawe and conscience requireth; I also desiryng, for the veraly examinacion and knowleche of trouth theruppon to be had, and for the grete and singuler weel of this youre said Roiaume, to be admytted to the prefe, and to yeve evidence in the said articles that folowyn in such as he woll denye, after the equite and consideracion of lawe, in such case, and processe had, and also of good feith and conscience justice thereafter to be don and executid.

First, I article and declare that the seid Edmond Duc of Somersett hath be meane, consenter, occasioner, cause and mediatour, both by his inwarde knowlege and expresse consent, by counseill, and worchyng thurghe diverse subtile weyes and meanes, as by violent presumption and otherwyse is knowen and understonde, and furthermore also by his inordinate negligence, lacchesse and wilfull rechelessnes and insaciate covetyse, of the losse and amission of youre Duchie of Normandie, rejoissed and possessed at this tyme, for the defence of his negligent keypyng and otherwyse before reherced, by youre enemyes. Which may clerly by (*sic*) understonde by the meanes and causes that folowen; of the which and for such one he is openly called, reputed and had by the comen fame and voice. Of the which oon cause is that the seid Duc of Somersett, at his first comyng into Normandie, chaunged and putt out of theire occupacion and youre service, withoute skylle, cause or reason, all the true and feithfull officers, for the most partie, of all Normandie, and put in such as hym liked for his owne singuler availe and covetyse, as it apperith well, inasmoch as ther coude noon of theym that were so put out be restored agayn withoute grete giftes and rewardes, which was full unfittyng. And furthermore did put in prison many diverse and notable persones of youre seid Duchie, withoute cause, justice or any ordinarie processe made agayn theym or due examinacion, and by that meane did grete extorcions and rered unlawfully grete sommes undre colour of amendes and composicions, wherby the cuntre for such wrong and faute of justice grucched sore agayn hym and his governaunce and caused the people to arise in theire conseytes and to take grete displeasir; and that was a grete occasion and cause of the losse of youre said Duchie of Normandie.

Item, the seid Edmond Duc of Somerset was cause and consenter voluntarie of the brekyng of the trues and pais for a tyme had betwene youre highnes and youre uncle of Fraunce, which was well understand at the taking of Fogiers in Britaigne by Sir Fraunceys Larragonneys thurgh his avise, consentement, and counseile; and also duryng the said trues made more strong and fortified diverse places disopered by youre commaundement, as Morteyn and Seint Jakes de Beveron, ageyn the appointment of the seid trues; uppon which youre uncle did sommon hym to make a-seeth [*satisfaction*] and for to

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disimpaire the seid fortifying and wrong don agayn the trues, and in asmoch as non aseeth by hym was don, nor [he] lefte not of his seid fortifyng, caused youre seid uncle to have, as he pretende, cause to breke the said trues on his partie; which brekyng of trues was oon of the verray cause of losse of Normandie. And thus he brake the seide trues ayeinst his promysse and true feith made to youre highnes, which was to kepe and entretyn the said trues, and so did ayen the lawe in this behalve and youre statutes of the roiaime.

Item, he put away and diminisshed diverse garnisons and other strong places of youre seid Duchie of Normandie of soudiours and of men of werre which were accustomed to abide uppon the suerte and sauferde of the same, howe be hit he had verrayly knowlege that youre ennmyes were full determi[ned] for to ley seges to put the same places in their subjeccion, not payng duely nor contentyng such soudiours as abode uppon the defences of the same places; he reryng at that tyme in youre said Duchie as grete tailles and aides as were in long tyme before duryng the werre; and that caused the soudiours in diverse strong places for poverté, not havyngh hors nor harneys, and also the nombre diminisshed, to be of non poiaire to make resistance, and that was a grete cause of the losse of Normandie. The losse of which caused the perdition of Gascoigne and Guyen.

Item, the Duc of Somersett wold yeve noo counseile, aide ne helpe unto the capitanis of diverse stronge places and garnisons which at that tyme, constreyned by nede, desired of hym provision and relief for abillement of werre to resiste the malice of their enemyes daily makyngh fressh feetes of werre uppon theym; he gevyng theym noone aide nor help, but lete theym contynue in their malice, howe be it that diverse places were lost before: and what tyme that the said places were beseged and sent for help and socour unto hym he wold graunte no maner of comferte, but suffred hem appoint and compoude with here enemyes as well as they myght for their ease and suertee, makyngh no maner of provision for the kepyng of the places which remayned; insomuch that he made non ordinaunce nor provision for the toun, castell, and places of Rouen, neither of men, stuffe ne vitaille, the knowlege that he had of youre enemyes comyngh thereunto notwithstanding, yevyngh licence unto the Archiebisshopp, chanons and burgeys of the same toun for to goo or sende to compoude with youre enemyes for the deliveraunce of the same, notwithstanding that afore that tyme the enemyes which were entred in to the same toun were worshipfully put oute and betyn of by the Erle of Shrovesbury and other notable persones, and withdrawen to Pontlarge and Loviers, and at that tyme, they beyng so withdrawen, licenced to appointe as it is aforeseid. Which was plainly ayeinst his promys, feith and liegaunce that he of right oweth unto you, and ayeinst the tenure of the enden-

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tures made betwix youre highnes and hym of the charge of that londe, the which licence, and it had not ben don, the seid toun had abiden undre youre obeisaunce, the losse of whiche was a verray ope¹ cause of the perdition of Normandie.

Item, the said Duc of Somerset, for to colour his defautes and wilfull purp[er]s in the premisses, entred in to youre palaice of Rouen not vitailed nor fo[r]nished¹ for defence, where he myght savely absentid hym, and yeldid up the said Palaice and Castell, and moreover other good tounes, castels and [fortresses],¹ as Caudebek, and other diverse, as Tancarville, Moustervillers, Arques, key of all Caulx, not beseged nor in perell of losse at that tyme, for the enlargissyn[g] and deliveraunce of hym, his childre and goodes; which myght not, nor hath not, be done nor seen by lawe, resoun or cronikel, or by cours or a any leftenant, all though that he had be prisoner: Witnesse the Duc of Orliaunce, the Duc of Burbon, the Duc of Alansum and other for whom was none delyvered, al though they had many strong places of theire owen. And furthermore fore the suertee of delyveraunce of tounes, castell and fortresses which were wel furnyssed for to have resisted youre enemyes, and to have biden within youre obeisaunce, delyvered in ostage the Erle of Shrowesbury, that tyme Marescall of Fraunce, and other notable persones which shuld have defended youre lande there ayens the malice of youre enemyes; and in likewyse apointed to delyver Honflu, which was in noo gret perell, ne had be that it was retardyd by youre lettres and so by that fraudelent and inordinat meane all was lost and yoldon up, as hereafter by more evident declaracions it shalbe clerely [proved].²

Item, the said Duc of Somerset hath contrived and ymagined, helped or consented to the grete and importable losse of Cales to be undre the obeisaunce of the Duc of Burgoyne, as it apperith openly by diverse skilles, evidencez, and resons; that is to sey, in asmuch as he desired and made laboures, or at the lest toke uppon hym, for to be capiten of the seid Toun of Cales, knowyng and understandyng well the grete murmur and sclaunder which daily rennyth agayn hym for the losse and sale, as it is surmyttid, of Normandie, to the grete discouragyng of the soudiours of the said Toun; where as the comen fame is that he will bylike sotill meanes contrive and ymagyn the losse and amission of youre said Toun of Cales, like as he hath afore causid the perdition of youre Duchie of Normandie; which apperith well, in asmoch as he hath desirid the terme of a monyth without more, that, in case that the said Toun were besegid and not rescuyd within the

¹ MS. mutilated.

² A line seems here to be cut off in the MS. at the bottom of the leaf.

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said monyth, that than he shuld stond discharged though it were delyvered to youre enemyes; within which tyme it were impossible, or at the lest full unlikly, that never myght be assembled for the rescu therof, where as it may and hath be here-before kept ayens the force of youre enemyes moche lenger tyme in grete jupardy; which is so grete an hevynesse and trouble to youre said soudiours, that by theire langage, demenyng and communicacion it may be understand that they will not be so herty nor feithfull to the welfare and defence of the said Toun as they shuld be in case they had a captayn more agreable unto theym. And also this premisse apperith well in asmoch as the comen voyce, langage, and fame is, and also grete prefe and evidence shalbe made theruppon, that the seid Duc of Somerset, in hope of mariage to be doon and had be twix the Duc son of Burgoyne¹ and one of his daughters, had made a promysse and behest to the said Duc of Burgoyne, or Duchesse by his meane, concert and massangers, of the delyvery of the Toun of Cales, to be done by such sotill meanes as shuld not be understand neither of youre highenes nor of youre subgettz.

Item, the said Duc of Somerset is cause of grete hurte, robbery, manslautre and other myscheves daily done and contynued in this youre roialme, in asmoch as he resceyved and had at the delyverey of

Anjoy and Mayn ^{xx}ij. ^mxij. (72,000) frankes or there aboutes, which were graunted and ordeyned to the Englysshmen havyng theire [*there*] lyvelode for theire recompense and asyth for the lyverey up of theire seid lyvelode at the said delyveraunce, and wold not dispose the same money nor departe therfrom, bot kepith it still to his owne use and singular availle, notwithstanding that he was recompensid for his lyvelode in that cuntrey in youre Duchie of Normandie of a more value than the gift therof was worth, which causith the said Englysshmen to be here in grete povertie; of which povertie no doute commyth grete myscheve daily within your said roiaume. And also in so muche as many diverse soudiours of Normandy were not paid theire wages, where he rerid grete and notable sommes of youre Duchie of Normandie for ther agrement, which non paiement and povertie causith also daily grete inconveniencz within this your lande.

Item, that these forsaid articles and poyntz be just and true it may well appere by many grete presumpcions beside evident prefe that shalbe made thereuppon with open and notarie fame and voice of the people, and also inasmoch as the said Duc of Somerset hath be double and untrue in many and diverse pointes, and in especiall that he hath desirid a recompense of youre highnes for the counte of Mayn for the delyverance therof, where it was specified in youre lettres patentes of

¹ Charles, afterwards Charles the Bold, son of Philip the Good, who was at this time Duke of Burgundy.

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your graunte therof to hym made that ye shuld be at your libertee to dispose it at your pleasere in case that ye for the meane of the pease wold do make a lyverey thereof unto youre uncle of Fraunce; and yit at the tyme of delyveraunce thereof he wold not agree therto unto tyme that he were recompensid, as it is aforesaid, in youre Duchie of Normandie to a more value than his said graunte drue to.

Item, thees forsaid articles, everyche of theym and every parte of theym, purposyth and minstre I, Richard, Duc of York, ayens the said Duc of Somersett joyntly and severally not atteigne to a more strate nor chargeable prefe than your lawe in such case and processe will require; desiryng of youre highnesse and rightuous justice that in asmoche as lawfully may ayenst hym be foundon or provid, that jugement in that partie be had and executid unto youre highnes for yours and youre roialmes prosperite and welfare, indende not elles bot the salvacion and indempnite of youre most roiale persone, and also alle youre feithfull subgettz, in which y reporte me to God and all the word [*world*].

I imagine this paper must have been really handed in by York to the lords of the king's Council. It is preserved among the mss. in the Cottonian Library, a large number of which were undoubtedly at one time part of the public records of the realm. But in any case we can hardly doubt that Somerset understood quite sufficiently the grounds on which he was so generally hated; nor is it by any means improbable that the armed remonstrance of the Duke of York produced some real effect, if only for a time. This at least we know, that only four days after the oath taken by York at St. Paul's,

Defence of
Calais.

active and energetic measures began to be taken for the defence of Calais. Historians, as Sir Harris Nicolas truly remarks, do not seem hitherto to have been aware of the imminent danger in which even Calais at this time stood of being lost, like the other English conquests, a full century before it was actually recovered by the French. Rumours that Calais would be besieged reached England in the beginning of May 1450, along with the news of the Duke of Suffolk's murder.¹ In August 1451 a reinforcement of 1150 men was sent thither in twelve vessels, under the Lords Beauchamp and Sudeley. In the February following, as we have seen, York wrote of the success of the French in Gascony having emboldened them to

¹ Letter 121.

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lay siege to Calais again. And now, on the 14th of March, when Charles was advancing towards the last English stronghold, with the most formidable army that had been seen for years, and when men had begun to fear that he would be able not only to gain possession of Calais with ease, but even to invade and ravage England, steps were at last taken for the immediate formation of a fleet.

A royal navy had undoubtedly existed for a long time before the days of Henry VI., but it never amounted in itself to a very formidable force, and in time of war recourse was always had to impressment on the large scale. But the neglect of the sea was during this reign the constant complaint of Englishmen. For want of an efficient fleet the mercantile interest continually suffered, the fisheries could not safely be visited, and even the dwellers at home were insecure. The fact was confessed by the greatest eulogists of Henry VI., who had not a thought of impugning his government. 'Our enemies,' says Capgrave in his *Illustrious Henries*,—'Our enemies laugh at us. They say, "Take off the ship from your precious money, and stamp a sheep upon it to signify your sheepish minds." We who used to be conquerors of all nations are now conquered by all. The men of old used to say that the sea was England's wall, and now our enemies have got upon the wall; what think you they will do to the defenceless inhabitants? Because this business has been neglected for so many years it now happens that ships are scanty, and sailors also few, and such as we have unskilled for want of exercise. May God take away our reproach and raise up a spirit of bravery in our nation!'¹

There were already available for the king's service a certain number of ships in the Thames, and at Winchelsea and Sandwich. The chief of these vessels was called the *Grace Dieu*—a name which was perhaps traditional, for it was handed down to Tudor times when, with the king's own Christian name prefixed, it was always given to the largest of the fleet.² The

¹ *Capgrave de Illust. Henricis*, 135.

² The *Henry Grace Dieu* of Henry VIII.'s time is, however, better known by its popular epithet of the *Great Harry*.

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Earl of Shrewsbury¹ was appointed to take the command of the whole army at sea, and efforts were made to augment the squadron with as large a force as possible. On the 14th of March 1452 a commission was given to Lord Clifford, which was doubtless one of a number given to various noblemen, to negotiate for this purpose with shipowners, knights, and gentlemen in the district where he commonly resided; and he was instructed to take the command of all such vessels as he could raise, and bring them into the Downs to join with Shrewsbury. The appeal to patriotism was not made in vain. Many shipowners came forward, offering not only to lend but to victual their own ships for the service. But full powers were also given to arrest ships, shipmasters, and mariners, to make up a sufficient number. To every man not furnished with victuals by the benevolence of others, twelve pence a week was offered on the king's behalf, with a customary share in any booty that he might help to capture at sea. Captains of ships were to have in addition a reward of ten marks, or £10, at the discretion of Lord Clifford. Altogether we may presume that the defensive measures taken at this time were sufficient, for we hear no more during the next few years of any attempt to lay siege to Calais.

Amnesty at Home—Disaster Abroad

General
pardon.

As to internal dissensions at home, it was quite in accordance with the weakness of the king's character to believe that he had now stilled the chief elements of danger. His piety suggested to him to complete the good work by a general political amnesty. The year 1450, as being the concluding year of a half-century, had been celebrated as a jubilee at Rome, during which a general indulgence and pardon were granted to all who visited the Imperial City. There was also,

¹ The Earl of Shrewsbury, as already mentioned, had been given up to the French in 1449 as a hostage for the delivery of certain towns in Normandy. It is said that he only recovered his liberty on taking oath never to bear arms again against the French, but that on visiting Rome in the year of Jubilee, 1450, he obtained an absolution from this engagement.—*Æneæ Sylvii Opera*, 441.

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according to precedent, a bull issued at the close of the year to extend these benefits still further. Taking his example from the great Spiritual Ruler, the king, on Good Friday, the 7th of April 1452, offered publicly a general pardon to all who had been guilty of acts of disloyalty to himself, and who would apply to his Chancery for letters patent.¹ The offer was, undoubtedly, both gracious and humane. It sprang from a genuine love of peace on the king's part, and probably went far to make the government of Somerset endurable for some months longer. Amid the confusion and troubles of the times, thousands must have felt that they needed the royal clemency to protect them against the severity of the laws. One hundred and forty-four persons, among whom was Thomas Young of Bristol—he who had proposed in Parliament that York should be proclaimed heir to the crown—obtained sealed pardons on that very Good Friday. Some two or three thousand others laid claim to the like indulgence, and had patents granted to them at a later date.² Only a very few persons were excepted on account of the enormity of their offences.

One part of his kingdom, however, Henry himself did not expect to pacify by such means only. The state of the county of Norfolk had been so represented to him that he felt it necessary to send thither the Duke of Norfolk. 'Great riots, extortions, horrible wrongs and hurts,' were the subject of complaint, and nothing but an impartial inquiry would give satisfaction. The duke on coming into the country issued a proclamation, urging all who had any complaints to make to lay them freely and fearlessly before him. But free and fearless evidence was not likely to be had without a strong

¹ Whethamstede, 317.

² The names are all entered on the *Pardon Roll* of 30 and 31 Henry vi. Among the hosts of less interesting names, we find that the Duke of York took out a pardon on the 3rd of June; the Duke of Norfolk and the young Duke of Suffolk on the 23rd of the same month; Thomas Percy, Lord Egremont, on the 1st; Thomas Courtenay, Earl of Devon, on the 20th, and Sir William Oldhall, who is called of Hunsdon, on the 26th. Ralph, Lord Cromwell, had one on the 22nd May, and Robert Wynnyngton of Dartmouth (the writer of Letter 90) on the 28th July. On the 12th July a joint pardon was given to Sir Henry Percy, Lord Ponynge, and Eleanor, his wife, kinswoman and heir of Sir Robert Ponynge. At later dates we have also pardons to Henry, Viscount Bouchier, and Sir John Talbot, son and heir of the Earl of Shrewsbury.

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guarantee for the protection of witnesses. Already the news of the duke's coming had got wind, and some of the dependants of Lord Scales, who had been amongst the principal offenders, had given notice that any complaints against *them* would be redressed in another fashion after the duke's departure. In the absence of the duke Lord Scales had been always hitherto the natural ruler of the county, and it was under his protection that Sir Thomas Tuddenham, Sir Miles Stapleton, John Heydon, and others had dared to make themselves unpopular. Norfolk accordingly declared in the same proclamation that he intended henceforth to vindicate for himself so long as he lived the chief power and authority in the county which bore his name, subject only to that of the king himself. And to give still greater encouragement to the well-disposed, he announced that the king himself would shortly visit the county, before whom all who desired it should have their grievances redressed.¹

Intended
royal visit
to Norfolk.

That the king actually visited Norfolk at this time I do not find from any other evidence. A letter written on St. George's Day says that he had been expected at Norwich or Claxton for ten days past. Encouraged by the duke's proclamation, several gentlemen of the county had drawn up a complaint against Charles Nowell, and were waiting to know in what manner they should present it. This Charles and a number of others appear to have been keeping the country east of Norwich at the time in continual alarm and confusion. They held their rendezvous at the house of one Robert Ledeham, from which they would issue out in bands of six, or twelve, or sometimes thirty or more, fully armed with bows and arrows, spears and bills, jacks and sallets.² No place was sacred from their outrages. On Mid-Lent Sunday they had attacked two servants of the Bishop of Norwich inside the church at Burlingham, and would have killed them behind the priest's back while they were kneeling at the mass. On the 6th of April they had endeavoured to break into the White Friars at Norwich on pretence of wishing to hear evensong ; but having publicly declared in the town that they intended to get hold of

Complaint
against
Charles
Nowell.

¹ No. 210.

² Coats of mail and helmets.

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certain citizens, either alive or dead, the doors were shut against them. Happily, before they accomplished their purpose the mayor and aldermen came to the spot. A multitude of people had meanwhile assembled in the streets, and the rioters, finding the odds considerably against them, quietly took their departure.¹

John Paston had a complaint of his own to make against these wrongdoers. Charles Nowell himself, and five others, had attacked him at the door of Norwich Cathedral. He had with him at the time two servants, one of whom received a blow on the naked head with a sword; and he himself was seized and had his arms held behind him, while one of the company struck at him. But for a timely rescue his death would seem to have been certain. On the very day on which this occurred his wife's uncle, Philip Berney, was waylaid by some of the same fellowship, in the highway under Thorpe Wood. Berney was riding, accompanied by a single servant, when their two horses first were wounded by a discharge of arrows. They were then speedily overtaken by their assailants, who broke a bow over Philip Berney's head, and took him prisoner, declaring him to be a traitor. To give a further colour to their proceedings, they led him prisoner to the Bishop of Norwich, demanding surety of him to keep the peace, and, when they had obtained it, let him go. Philip Berney lived more than a year after the adventure, but he never recovered from the effects of this rough usage.²

Outrages like these, it must be remembered, were not the work of lawless brigands and recognised enemies of the whole community. They were merely the effect of party spirit. The men who did them were supported by noblemen and country gentlemen. One, by name Roger Church, probably the most daring, and at the same time the most subtle, of the gang, had got himself made bailiff of the hundred of Blofield.³ Charles Nowell was a friend of Thomas Daniel, who, after being a year and a half out of favour, had recently recovered his influence in Norfolk through the medium of the Duke of

¹ Nos. 211, 217, 241.

² Nos. 212, 213, 227, 228, 241.

³ Nos. 214, 241.

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Somerset.¹ By this means he seems again to have obtained possession of the manor of Bradeston, the right to which he had disputed in 1450, apparently more by arms than by law, with Osbert Mountford, marshal of Calais. Charles Nowell was appointed by Daniel bailiff of the manor, with the slender but not insignificant salary of twopence a day; and he and his fellows, Roger Church, Robert Ledeham, John Ratcliff, and Robert Dalling, made it their chief business to maintain Daniel in possession.

Roger
Church.

To put an end to such a state of matters as this, the Duke of Norfolk's coming must have been truly welcome. But if any man expected that the power of duke or king could suddenly terminate the reign of anarchy, and initiate an era of plain impartial justice, he must have been a sanguine mortal. As one of the first effects of the duke's coming, some of the leading oppressors of the country were driven to a course of chicanery instead of violence. Roger Church got himself arrested by some of his own company, and was brought before the duke as a promoter of sedition. He was accused of having taken part in an unlawful assembly at Postwick, with the view of stirring up an insurrection. He confessed the fact, and offered to turn king's evidence on his accomplices. He then named a number of thrifty husbandmen, farmers, and gentlemen of the neighbourhood, alleging that about three hundred persons were implicated in the intended rising. The truth, as it presently turned out, and as Church himself afterwards confessed, was, that the movement had been got up by himself, at the instigation of Robert Ledeham, who promised to procure his pardon through the influence of Daniel. By solicitations addressed to various unsteady characters he had induced some to believe that an insurrection would be well supported. A little company of fifteen men accordingly met him under a wood at Postwick, and he told them he had discovered an excellent name for their captain, who should be called John Amend-All. But beyond this meeting and naming of the captain nothing seems ever to have come of the project.²

¹ No. 206.

² Nos. 214, 217, 218, 219, 241.

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John Paston was certainly one of those mentioned by Church. The chief persons accused were the friends of Osbert Mountford, and Paston was one of them. But John Falgate, one of the deluded victims who had been present at the meeting at Postwick, being subjected to examination before the sheriff, exonerated Paston, and, while acknowledging his own share in the conspiracy, pronounced the tale told by Roger Church in his confession to be altogether an invention. We need not be surprised to hear that after this a petition from the county of Norfolk was sent up to the Lord Chancellor, praying that Church should not be allowed the benefit of the general pardon, offered upon Good Friday.¹ But Church persevered in his policy. He appears to have been a reckless kind of adventurer. He probably claimed the benefit of clergy, for we find him three months after his arrest in the hands of officers of the Bishop of Norwich. His goods also were seized for a debt that he owed the bishop. But in spite of the contradictions given by other witnesses, in July he adhered to what he had said in April, and instead of retracting his former accusations, said he meant to impeach some one else whom he could not at that time name,—a man who, he said, had more money in his purse than all of those whom he had accused before. The coolness with which he persisted in these statements gave an impression that he was even yet relying upon powerful friends to support him.²

The conclusion of the affair must be a matter of speculation, for we hear nothing more of it. The political history of England, too, is, at this point, almost a blank. We know from the Privy Council Proceedings that there was some difficulty in the spring of 1452 in preserving friendly relations with Scotland in consequence of some Border outrages perpetrated by the Earl of Douglas. And this is absolutely all the light we have on the domestic affairs of England for about a twelvemonth after the Duke of York's oath of allegiance at St. Paul's. I have found, however, by an examination of the

¹ The petition, I think, must have been effectual, for I did not find Church's name on the *Pardon Roll*, 30 and 31 Henry vi.

² Nos. 214, 216, 218.

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A royal
progress.

dates of privy seals, that in July the king began a progress into the west of England, which is not altogether without significance. He reached Exeter on the 18th, and from thence proceeded by Wells, Gloucester, Monmouth, and Hereford to Ludlow, where he arrived on the 12th of August, and from which he returned homewards by Kenilworth and Woodstock, arriving at Eltham in the beginning of September. In October he made another circuit northwards by St. Albans to Stamford, Peterborough, and Cambridge. There can hardly be a doubt the object of these journeys was mainly to conciliate those who had declared their opposition to the Duke of Somerset, especially when we consider that the visit to Ludlow must have been nothing less than a visit to the Duke of York. York was now more than pardoned. He was honoured by his sovereign.

Financially, however, we may well suppose that the duke was not the better of the royal visit. Perhaps also the state of the country did not conduce to the prosperity of great landowners. At all events we find that at the end of the year York was glad to pledge some pieces of jewellery to Sir John Fastolf for a loan of £437, to be repaid next Midsummer.¹ The transaction is in every way curious, as illustrating the sort of dealings in money matters which were at that time by no means uncommon among knights and noblemen. It is certainly highly characteristic of such a knight as Sir John Fastolf, who, quite unlike the Falstaff of the dramatist, instead of being always needy, was always seeking to increase the wealth that he had amassed by long years of thrift and frugality.

Sir John
Fastolf.

We have had occasion to mention the historic Fastolf before; and it is time that we should now direct attention to the circumstances of his private life and his connection with the Paston family. John Paston, as the reader has already been informed, was ultimately his executor, and to this circumstance may safely be attributed the preservation of so many of his letters, most of which have certainly been handed down with the papers of the Paston family. Nevertheless, up

¹ No. 223.

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to the time at which we have now arrived we do not find that he directly corresponded with any of them. We can see, however, that he had a high regard for John Paston's advice in business, and sometimes sent letters and documents of importance by him to his agent in Norfolk, Sir Thomas Howes.¹ He seems to have been related in blood to John Paston's wife,² and he acknowledges Paston himself as his cousin in his will. From the general tenor of most of his letters we should certainly no more suspect him of being the old soldier that he actually was than of being Shakespeare's fat, disorderly knight. Every sentence in them refers to lawsuits and title-deeds, extortions and injuries received from others, forged processes affecting property, writs of one kind or another to be issued against his adversaries, libels uttered against himself, and matters of the like description. Altogether the perusal is apt to give us an impression that Sir John would have made an acute and able, though perhaps not very highminded, solicitor. If ever his agent, Sir Thomas Howes, was, or seemed to be, a little remiss in regard to some particular interest, he was sure to hear of it, and yet woe to him if he did things on his own responsibility which turned out afterwards to be a failure.³ Sir John was not the man to pass over lightly injuries done by inadvertence.

The familiarity shown by Fastolf with all the forms and processes of the law is probably due not so much to the peculiarity of his personal character as to the fact that a knowledge of legal technicalities was much more widely diffused in that day than it is in ours. Even in the days when Master Shallow first made himself ridiculous to a London audience by claiming to be justice of the peace and *coram, custalorum*, and *ratolorum*, there can hardly be a doubt that the knowledge of legal terms and processes was not a thing so entirely professional as it is now. But if we go back to an

¹ Nos. 153, 159, 162, 186, 188, 203.

² Note the passages in Margaret Paston's letter (No. 222):—'Yet I suppose Sir John, if he were spoken to, would be gladder to let his kinsmen have part than strangers.' And again:—'Assay him in my name of such places as ye suppose is most clear.'

³ No. 202.

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earlier time, the Paston letters afford ample evidence that every man who had property to protect, if not every well-educated woman also, was perfectly well versed in the ordinary forms of legal processes. Sir John Fastolf had a great deal of property to take care of, and consequently had much more occasion to make use of legal phraseology than other people. Had it been otherwise we should hardly have had any letters of his at all; for the only use of writing to him, and probably to most other people in those days, was to communicate on matters of business.

There are also parts of his correspondence from which we might almost infer that Sir John was a merchant as well as a lawyer. His ships were continually passing between London and Yarmouth, carrying on the outward voyage building materials for his works at Caister, and bringing home malt or other produce from the county of Norfolk. In two of his letters we have references to his little ship *The Blythe*,¹ which, however, was only one of several; for, in the year 1443, he obtained a licence from the Crown to keep no less than six vessels in his service. These are described as of four different kinds: two being what were called 'playtes,' a third a 'cog-ship,' a fourth a 'farecoft,' and the two others 'balingers,' for the carriage of goods and building materials for the use of his household. These vessels were to be free from all liability to arrest for the service of the king.²

Building
of Caister
Castle.

The object of these building operations was the erection of a stately castle at Caister, not far from Yarmouth, the place of the old warrior's birth. As early as the reign of Henry v., it seems, he had obtained licence to fortify a dwelling there, 'so strong as himself could devise';³ but his occupation in the French wars had suspended a design which must have been a special object with him all through life. The manor of Caister had come to him by natural descent from his paternal ancestry; but even during his mother's widowhood, when Sir John was a young man of about six-and-twenty, we find that

¹ Nos. 171, 173.

² Rymer, xi. 44.

³ Dawson Turner's *Historical Sketch of Caister Castle*, p. 31. He does not state his authority.

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she gave up her life tenure of it to vest it entirely in her son.¹ Since that day he had been abroad with Henry v. at Agincourt and at the siege of Rouen. He had afterwards served in France under the Regent Bedford,—had taken several strong castles and one illustrious prisoner,²—had held the government of conquered districts, and had fought, generally with success and glory, in almost every great battle of the period. Nor had he been free, even on his return to England, to go at once and spend the rest of his days on his paternal domains in Norfolk. His counsels were needed by his sovereign. His experience abroad must have qualified him to give important advice on many subjects of vital interest touching both France and England, and we have evidence that he was, at least occasionally, summoned to take part in the proceedings of the Privy Council. But now, when he was upwards of seventy years of age, the dream of his youth was going to be realised. Masons and bricklayers were busy at Caister,³ building up for him a magnificent edifice, of which the ruins are at this day the most interesting feature in the neighbourhood. Sadly imperfect ruins indeed they are,—in some places even the foundations would seem to have disappeared, or else the plan of the building is not very intelligible; but a noble tower still rises to a height of ninety feet,—its top possessed by jackdaws,—and a large extent of mouldered walls, pierced with loopholes and surmounted by remains of battlements, enable the imagination to realise what Caister Castle must have been when it was finished over four hundred years ago. A detached fragment of these ruins, too, goes by the name of the Bargehouse; and there, beneath a low-browed arch still visible, tradition reports that Sir John Fastolf's barge or barges would issue out on their voyages or enter on their return home.

According to Dawson Turner, the foundations of Caister Castle must have enclosed a space of more than six acres of ground.⁴ The inventory of the furniture contained in it at Fastolf's death⁵ enumerates no less than six-and-twenty

¹ See 'Early Documents' in vol. ii. p. 4.

³ Nos. 224, 225.

⁴ *Historical Sketch*, p. 4.

² The Duke of Alençon.

⁵ No. 389.

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chambers, besides the public rooms, chapel, and offices. An edifice on such a scale must have been some time in building : —many years, we should suppose, passed away before it was completed. And we are not without evidence that such was actually the case ; for a chamber was set apart for the Lady Milicent, Fastolf's wife, who is believed to have died in 1446, and yet the works were still going on in 1453. In this latter year we find that John Paston was allowed to have some control of the building operations, and that chambers were to be built for him and his wife. Meanwhile it appears he had chosen an apartment in which to set up his coffers and his counting-board for the time. Possibly when he was able to visit Caister he may have acted as 'paymaster of the works.'¹

The great castle, however, was now not far from completion ; and before the end of the following year Sir John Fastolf had removed from London and taken up his residence at Caister, where, with the exception of one single visit to the capital, he seems to have spent all the remainder of his days.

We have said that very few notices are to be found of the internal affairs of England in the year 1452, subsequent to the Duke of York swearing allegiance at St. Paul's. But just about that time, or not very long after, the affairs of Guienne came once more to demand the serious consideration of the Council. It is true that Guienne and Gascony were now no longer English possessions. Bayonne, the last stronghold, had been given up in the preceding August, and, the English forces being now expelled, all hope of recovering the lost provinces might well have been abandoned, but that the inhabitants were desirous to put themselves once more under the protection of the King of England. The fact is that the Gascons, who had been three centuries under English rule, did not at all relish the change of masters. Under the crown of England they had enjoyed a liberty and freedom from taxation which were unknown in the dominions of Charles VII. ; and on the surrender of Bordeaux and Bayonne, the

Attempt
to recover
Guienne.

¹ Nos. 224, 225.

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French king had expressly promised to exempt them from a number of impositions levied elsewhere. But for this promise, indeed, those cities would not so readily have come to terms.¹ Unfortunately, it was not very long before the ministers of Charles sought to evade its fulfilment. They represented to the people that for their own protection, and not for the benefit of the royal treasury, the imposition of a *taille* would enable the king to set a sufficient guard upon the country, and that the money would not in reality be taken from them, as it would all be spent within the province. The English, it was to be feared, would not remain patient under the loss, not only of the provinces themselves, but also of a very valuable commerce that they had hitherto maintained with the south of France; for Gascony supplied England with wine, and was a large consumer of English wool. Hence there was every reason to fear that some attempt would be made by the enemy to recover the lands from which he had been expelled, and it was the interest of the inhabitants themselves to provide an adequate force to ward off invasion.²

With arguments like these the French king's officers went about among the people endeavouring to compel them to forego a liberty which had been secured to them under the Great Seal of France. In vain were deputations sent from Bordeaux and Gascony beseeching the king to be faithful to his promise. The petitioners were sent back with an answer urging the people to submit to exactions which were required for the defence of the country. The citizens of Bordeaux were greatly discontented, and an embassy, headed by the Sieur de l'Esparre, was sent over to the King of England to offer him the allegiance of the lost provinces once more, on his sending a sufficient fleet and army to their rescue. The proposal being laid before a meeting of the English Council, was of course most readily agreed to; and it was arranged that a fleet, under the command of the Earl of Shrewsbury, should sail for the Garonne in October. On the 18th of that month the earl accordingly embarked with a body of 4000 or 5000 soldiers. The French army having withdrawn, he easily

¹ Basin, i. 251.

² *Ibid.* 257.

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obtained possession of Bordeaux, and sent its captain, Oliver de Coëtivy, a prisoner into England. Other towns then readily opened their gates to the invaders, of which one of the principal was Castillon in Perigord; and very soon, in spite of the opposition of their French governors, the greater part of the lost provinces had put themselves again under the protection of the English.¹

A.D. 1453. The suddenness with which these things were done seems for a time to have disconcerted the French king. Winter was now coming on, and probably nothing effective could be done for some time, so Charles lay maturing his plans in silence. As he surveyed the position at leisure, he probably found that any further efforts of the invaders could be checked with tolerable facility. France still retained possession of the two little towns of Bourges and Blaye, which we have already mentioned as being the keys of Bordeaux, and also of various other strong places in which he had been careful to leave considerable garrisons. It was therefore the beginning of June in the following year before he took any active steps to expel the enemy from their conquests. He then marched southwards from Lusignan, near Poitiers, and laid siege to Chalais in Perigord, on the borders of Saintonge. In the space of five days it was taken by assault. Out of a garrison of 160 men no less than half were cut to pieces. The other half took refuge in a tower where they still held out for a time in the vain hope of succours, till at last they were compelled to surrender unconditionally. Of the prisoners taken, such as were of English birth were ransomed; but as for those who were Gascons, as they had sworn fealty to Charles and departed from their allegiance, they were all beheaded. After this, one or two other ill-defended places fell into the hands of the French. On the 14th July siege was laid to Castillon on the Dordogne, a position which when won gave the French free navigation into the Gironde. The besieging army was furnished with the most perfect mechanism of war that the skill or science of that age could supply. It had a train of artillery, with no less than 700 gunners, under the

¹ Basin, i. 258-261. Leclercq (in Petitot's Collection), 37-38.

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conduct of two able engineers of Paris, the brothers Bureau. The place was thoroughly closed in, when Shrewsbury, hearing of the danger in which it stood, came with haste out of Bordeaux with a body of 800 or 1000 horse, followed shortly after by 4000 or 5000 foot.¹

At daybreak on the 17th, the earl came suddenly upon the besiegers, and succeeded without difficulty in thoroughly defeating a body of archers, who had been posted at an abbey outside the town. This detachment being completely taken by surprise, was obliged to save itself by flight, and after a little skirmishing, in which some 80 or 100 men were slain on both sides, the greater number of the Frenchmen succeeded in gaining a park in which the main body of the besiegers had entrenched themselves. Further pursuit being now unnecessary, the English returned to the abbey, where they were able to refresh themselves with a quantity of victuals which the French had left behind them. 'And because the said skirmish,' writes the French chronicler De Coussy, 'had been begun and was done so early that as yet Talbot had not heard mass, his chaplain prepared himself to sing it there; and for this purpose the altar and ornaments were got ready.' But this devout intention the earl presently abandoned; for a cloud of dust was seen in the distance, and it was reported to him that even the main body of the French were rapidly retreating. Immediately the earl was again on horseback, and as he left the abbey he was heard to say, 'I will hear no mass to-day till I have overthrown the company of Frenchmen in the park before me.'²

Unfortunately, it turned out that the report of the retreat of the French was utterly unfounded. The cloud of dust had been raised by a body of horses which they had sent out of the camp to graze. The French army remained in its position, with artillery drawn up, ready to meet the earl on his advance. The English, nevertheless, came on with their usual shout, 'A Talbot! A Talbot! St. George!' and while their foremost men just succeeded for an instant in planting their standard on

¹ Basin, i. 261-4. Leclercq, 39-41. Matt. de Coussy, 121.

² Basin, i. 264-5. De Coussy, 122.

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the barrier of the French lines, they were mowed down behind by the formidable fire of the French artillery. Against this all valour was fruitless; about 500 or 600 English lay dead in front; and the French, opening the barrier of their park, rushed out and fought with their opponents hand to hand. For a while the conflict was still maintained, with great valour on both sides; but the superior numbers of the French, and the advantage they had already gained by their artillery, left very little doubt about the issue. After about 4000 Englishmen had been slain in the hand-to-hand encounter, the remainder fled or were made prisoners. Some were able to withdraw into the town and join themselves to the besieged garrison; others fled through the woods and across the river, in which a number of the fugitives were drowned. In the end the body of the veteran Talbot was found dead upon the field, covered with wounds upon the limbs, and a great gash across the face.¹

Defeat
and death
of Talbot.

So fell the aged warrior, whose mere name had long been a terror to England's enemies. By the confession of a French historian, who hardly seems to feel it a disgrace to his countrymen, the archers, when they closed around him, distinctly refused to spare his life, so vindictively eager were they to despatch him with a multitude of wounds.² Yet it must be owned that in this action he courted his own death, and risked the destruction of a gallant army. For though he was led to the combat by a false report, he was certainly under no necessity of engaging the enemy when he had discovered his mistake, and he was strongly dissuaded from doing so by Thomas Everingham.³ But his own natural impetuosity, inflamed probably still more by the unreasonable taunts of the men of Bordeaux, who, it seems, were dissatisfied that no earlier attempt had been made to resist the advance of the French king into Guienne,⁴ induced him to stake everything on the issue of a most desperate and unequal conflict.

With him there also died upon the field his eldest son, Lord Lisle, his illegitimate son, Henry Talbot, Sir Edward Hull, and thirty other knights of England. About double

¹ De Coussy, 124.

² *Ibid.* 265.

³ Basin, i. 267-8.

⁴ De Coussy, 122.

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that number were taken prisoners, the most notable of whom was John Paston's old persecutor, the Lord Moleyns.¹ Never had the English arms experienced such a disastrous overthrow.

The Gascons now gave up their cause as altogether hopeless. A fresh army had lately marched into their country, and was laying siege to several places at once towards the east of Bordeaux, so that it was manifest that city would soon be shut in by the royal forces. Castillon was no longer able to hold out. It surrendered on the second day after Talbot's death. About the same time Charles in person laid siege to Cadillac, one of the most important places in the neighbourhood, protected by a strong castle. The town was speedily carried by assault, and a few weeks later the castle was also taken. Other places in like manner came once more into the power of the French king. At Fronsac an English garrison capitulated and was allowed to leave the country, each soldier bearing in his hand a baton till he reached the seaside. Very soon Bordeaux was the only place that held out; nor was the defence even of this last stronghold very long protracted. Its surrender was delayed for a time only in consequence of the severity of the conditions on which Charles at first insisted; but a sickness which began to ravage his camp at length inclined him to clemency. On the 17th of October the city submitted to Charles, the inhabitants engaging to renew their oaths of allegiance, and the English having leave to return in their own ships to England. To secure himself against their future return, or any fresh rebellion of the citizens, Charles caused to be built and garrisoned, at the expense of the latter, two strong towers, which were still standing at the beginning of the last century. Thus was Gascony finally lost to the Crown of England.

We must now return to the domestic affairs of the kingdom. Matters had been hung up, as it were, in a state of unstable equilibrium ever since Good Friday 1452. The political amnesty, proceeding, as it did, from the king's own heart, and removing every stain of disloyalty from those who had laboured most to change his policy, helped, in all probability,

¹ J. Chartier, 265; Berry, 469.

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to keep up a precarious state of tranquillity much longer than it could otherwise have been preserved. The danger of Calais, too, had passed away for the time, although it was always recurring at intervals so long as Henry VI. was king. So that, perhaps, during the latter part of the year 1452, the country was in as quiet a state as could reasonably have been expected. At least, the absence of information to the contrary

A.D. 1453. may be our warrant for so believing. But the new year had no sooner opened than evidences of disaffection began to be perceived. On the 2nd of January Robert Poynings—the same who had taken a leading part in Cade's rebellion, and had, it will be remembered, saved the life of one of Sir John Fastolf's servants from the violence of the insurgents—called together an assembly of people at Southwark, many of whom were outlaws. What his object was we have no distinct evidence to show. He had received the king's general pardon for the part he took in the movement under Cade; but he had been obliged to enter into a recognisance of £2000, and find six sureties of £200 each, for his good behaviour; so that he, of all men, had best cause to beware of laying himself open to any new suspicion of disloyalty. Yet it appears he not only did so by this meeting at Southwark, but that immediately afterwards he confederated with one Thomas Bigg of Lambeth, who had been one of Cade's petty captains, and having met with him and about thirty others at Westerham in Kent, tried to stir up a new rising in the former seat of rebellion. From Kent he further proceeded into Sussex, and sent letters to two persons who had been indicted of treason, urging them to come and meet him at Southwark on the last day of February; 'at which time and place,' says the Parliament Roll, 'the same Robert Poynings gave them money, thanking them heartily of their good will and disposition that they were of unto him in time past, praying them to continue their good will, and to be ready and come to him at such time as he should give them warning.'¹ Altogether it would appear from the record of the charge itself that nothing very serious

¹ *Rolls of Parl.* v. 396. See also the pardon granted to him five years later. *Patent Roll*, 36 Hen. VI. m. 12.

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came of this display of disaffection on the part of Poynings ; but it must at least be noted as a symptom of the times.

Soon after this a Parliament was called. The Crown was Parliament. in need of money ; but Somerset did not dare to convoke the legislature at Westminster. It met in the refectory of the abbey of Reading on the 6th of March. In the absence of the Archbishop of Canterbury, Cardinal Kemp, who was Chancellor, the Bishop of Lincoln¹ opened the proceedings by a speech on behalf of the king, declaring the causes of their being summoned ; which were merely stated to be, in general terms, for the good government of the kingdom and for its outward defence. The necessity of sending reinforcements into Gascony was not mentioned, and apparently was not thought of ; for up to this time the success of Shrewsbury had been uninterrupted, and the French king had not yet begun his southward march. The Commons elected one Thomas Thorpe as their Speaker, and presented him to the king on the 8th. Within three weeks they voted a tenth and fifteenth, a subsidy of tonnage and poundage, a subsidy on wools, hides, and woolfells, and a capitation tax on aliens,—all these, except the tenth and fifteenth, to be levied for the term of the king's natural life. They also ordained that every county, city, and town should be charged to raise its quota towards the levying of a body of 20,000 archers within four months. For these important services they received the thanks of the king, communicated to them by the Chancellor, and were immediately prorogued over Easter, to sit at Westminster on the 25th of April.²

On their reassembling there, they proceeded to arrange the proportion of the number of archers which should be raised in each county, and the means by which they were to be levied. The Commons, however, were relieved of the charge of providing 7000 men of the number formerly agreed to, as 3000 were to be charged upon the Lords and 3000 more on Wales and the county palatine of Cheshire, while an additional thousand was

¹ Called William, Bishop of Lincoln, on the *Rolls of Parliament*, but his name was John Chedworth.

² *Rolls of Parl.* v. 227-31.

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remitted by the king, probably as the just proportion to be levied out of his own household. For the remaining 13,000, the quota of each county was then determined. But soon afterwards it was found that the need of such a levy was not so urgent as had at first been supposed, and the actual raising of the men was respited for two years, provided that no emergency arose requiring earlier need of their services.¹

The possibility of their being required in Gascony after the success of the Earl of Shrewsbury in the preceding year, seems no more to have occurred to the Government, than the thought of sending them to Constantinople, where possibly, had the fact been known, they might at this very time have done something to prevent that ancient city from falling into the hands of the Turks. For it was in this very year, and while these things occupied the attention of the English Parliament, that the long decaying Eastern Empire was finally extinguished by the fall of its metropolis.

After this, some new Acts were passed touching the pay of the garrison at Calais, and for the making of jetties and other much-needed repairs there. For these purposes large sums of money were required, and the mode in which they were to be provided gives us a remarkable insight into the state of the exchequer. To the Duke of Somerset, as Captain of Calais, there was owing a sum of £21,648, 10s., for the wages of himself and his suite since the date of his appointment; and on the duke's own petition, an Act was passed enabling him to be paid, not immediately, but after his predecessor, Humphrey, Duke of Buckingham, should have received all that was due to him in a like capacity.² The pay of the officers of Calais, it would thus appear, but that it seems to have been discharged by the Captain for the time being out of his own resources, must at this time have been more than two years in arrear. If such was the state of matters, we gain some light on the causes which induced Somerset, after his loss of Normandy, to add to his unpopularity by accepting a post of so much responsibility as the Captainship of Calais. He was one of the few men in England whose wealth was such that he could afford to

¹ *Rolls of Parl.* v. 231-3.

² *Ibid.* v. 233.

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wait for his money ; and he was too responsible for the rotten government which had led to such financial results to give any other man a post in which he would certainly have found cause of dissatisfaction.

It was necessary, however, to provide ready money for the repairs and the wages of the garrison from this time, and it was accordingly enacted that a half of the fifteenth and tenth already voted should be immediately applied to the one object, and a certain proportion of the subsidy on wools to the other. At the same time a new vote of half a fifteenth and tenth additional was found necessary to meet the extraordinary expenditure, and was granted on the 2nd of July.¹

This grant being announced by the Speaker to the king, who was then sitting in Parliament, Henry thanked the Commons with his own mouth, and then commissioned the chancellor, Cardinal Kemp, to prorogue the assembly; alleging as his reasons the consideration due to the zeal and attendance of the Commons, and the king's own intention of visiting different parts of his kingdom for the suppression of various malpractices. 'The king, also,' he added, 'understood that there were divers petitions exhibited in the present Parliament to which no answer had yet been returned, and which would require greater deliberation and leisure than could now conveniently be afforded, seeing that the autumn season was at hand, in which the Lords were at liberty to devote themselves to hunting and sport, and the Commons to the gathering in of their harvests.' As these weighty matters, whatever they were, required too much consideration to be disposed of before harvest-time, we might perhaps have expected an earlier day to be fixed for the reassembling of the legislature than that which was actually then announced. Perhaps, also, we might have expected that as the Parliament had returned to Westminster, it would have been ordered to meet there again when it renewed its sittings. But the king, or his counsellors, were of a different opinion ; and the Parliament was ordered to meet again on the 12th of November at Reading.

Long before that day came, calamities of no ordinary kind

¹ *Rolls of Parl.* v. 234-6.

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had overtaken both king and nation. About the beginning of August,¹ news must have come to England of the defeat and death of the Earl of Shrewsbury; and Somerset at last was quickened into action when it was too late. Great preparations were made for sending an army into Guienne, when Guienne was already all but entirely lost. It is true the Government were aware of the danger in which Talbot stood for want of succours, at least as early as the 14th of July; even then they were endeavouring to raise money by way of loan, and to arrest ships and sailors. But it is evident that they had slept too long in false security, and when they were for the first time thoroughly awake to the danger, the disaster was so near at hand that it could not possibly have been averted.²

The King's Prostration

The king
falls ill.

Whether it was in any degree owing to this national calamity,—in which case, the impression made by the event may well have been deepened by the knowledge that it was attributed to the remissness of Somerset,—or whether it was due entirely to physical or other causes quite unconnected with public affairs, in August the king fell ill at Clarendon, and began to exhibit symptoms of mental derangement.³ Two months later an event occurred in which, under other circumstances, he could not but have felt a lively interest. After eight years of married life, the queen for the first time bore him a child. It was a son and received the name of Edward; but for a long time afterwards the father knew nothing of the event. So entirely were his mental faculties in abeyance, that it was found impossible to communicate to him the news. The affairs of his kingdom and those of his family were for the time equally beyond his comprehension.

¹ It appears not to have been known on the 4th of August. Stevenson's *Wars*, ii. 487-8.

² Nicolas's *Privy Council Proceedings*, vi. 151-4, 155-7. Stevenson's *Wars*, ii. 481-92.

³ W. Worc. In an almanac of that time I find the following note, which dates the beginning of the king's illness on the 10th of August:—'In nocte S. Laurentii Rex infirmatur et continuavit usque ad Circumcisionem Anni 1455, in p. . . .' (?) (a word unintelligible at the end). MS. Reg. 13, C. 1.

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The failure of royalty to perform any of its functions, however weakly they might have been performed before, was a crisis that had not occurred till now. A heavier responsibility lay with Somerset and the Council, who could not expect that acts done by their own authority would meet with the same respect and recognition as those for which they had been able to plead the direct sanction of their sovereign. And now they had to deal with a factious world, in which feuds between powerful families had already begun to kindle a dangerous conflagration. In the month of August, probably of the year before this, Lord Thomas Nevill, a son of the Earl of Salisbury, married a niece of Lord Cromwell at Tattersall in Lincolnshire. After the wedding the earl returned into Yorkshire, when, having reached the neighbourhood of York, some disturbance arose between his retainers and those of Lord Egremont, son of the Earl of Northumberland.¹ As to the cause of the dispute we are left entirely ignorant; but it grew into a serious quarrel between the Nevills and the Percys. The chief maintainers of the feud were, on the one side, Sir John Nevill, a younger son of the Earl of Salisbury, and on the other Lord Egremont. Both parties were repeatedly summoned to lay their grievances before the Council; but the most peremptory letters and mandates had hitherto been ineffectual. Illegal gatherings of people on either side continued in spite of every prohibition; and the whole north of England seems to have been kept in continual disorder.²

The case was not likely to be improved when the source of all legal authority was paralysed. And yet so bad was the state of matters before, that the king's illness, instead of being an aggravation of the evil, positively brought with it some perceptible relief. The Council were no longer able to avoid calling in the aid of one whose capacity to rule was as indisputable as his birth and rank. A Great Council was summoned for the express purpose of promoting 'rest and union betwixt the lords of this land'; and according to the usage in such cases, every peer of the realm had notice to

¹ W. Worc.

² Nicolas's *Privy Council Proceedings*, vi. 140-2, 147-9, 154-5.

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attend. Gladly, no doubt, would Somerset have omitted to send such notice to his rival; and it seems actually to have been the case that no summons was at first sent to the Duke of York. But afterwards the error was rectified, and York being duly summoned, came up to Westminster and took his seat at the Council-table¹ on the 21st of November. Before taking part in the proceedings, however, he addressed himself to the lords then assembled, declaring how he had come up in obedience to a writ of privy seal, and was ready to offer his best services to the king; but as a previous order had been issued, by what authority he could not say, to certain old councillors to forbear from attending the king's councils in future, he required that any such prohibition might be removed. This was unanimously agreed to, and the government of England was at once restored to a free and healthy condition.²

Norfolk
accuses
Somerset.

The Duke of Somerset was not present at this meeting of the Council. He doubtless saw too clearly the storm gathering against him. To his former responsibility for the loss of Normandy was now added further responsibility for the loss of Guienne. The accusations against him were accordingly renewed; but they were taken up this time, not by York but by the Duke of Norfolk. A set of articles of impeachment was drawn up by the latter, to which Somerset made some reply, and was answered again by Norfolk. The accuser then pressed the matter further, urging that the loss of Normandy and of Guienne should be made a subject of criminal inquiry according to the laws of France; and that other misdemeanours charged upon him should be investigated according to the modes of procedure in England. Finally, lest his petition should be refused by the Council, Norfolk desired that it might be exemplified under the king's Great Seal, protesting that he felt it necessary, for his own credit, that what he had done in the matter should be known as widely as possible.³

¹ Nicolas's *Privy Council Proceedings*, vi. 163-5.

² *Patent Roll*, 32 Hen. vi. m. 20. See Appendix to this Introduction.

³ No. 230.

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In the end it was determined that the Duke of Somerset should be arrested and committed to the Tower. This resolution was carried into effect a little before Christmas, and the different lords retired during the festive season to their own country quarters. But all who had given their votes against Somerset knew well that they stood in considerable danger. The battle that he had lost would have to be fought over again with the queen, who now put in a claim to be intrusted with the entire government of the kingdom. Every man of Somerset's party got his retainers in readiness, and while other lords were out of town, the harbinger of the Duke of Somerset secured for his company all the lodgings that were to be got in Thames Street, Mark Lane, St. Katherine's, and the neighbourhood of the Tower. The Duke of Norfolk was warned by a faithful servant to beware of parties in ambush on his way to London. Everything clearly showed that the faction which had been dispossessed of power had sanguine hopes of reinstating themselves at an early opportunity.¹

And this, it is probable, they might have done with the greatest possible ease, were it not that the king's loss of his faculties was so complete and absolute that it was impossible, by any means whatever, to obtain a semblance of acting upon his authority. About New Year's Day, when the new-born prince was conveyed to Windsor, the Duke of Buckingham took the child in his arms and presented him to the king, beseeching him to give him a father's blessing. Henry returned no answer. The duke remained some time with the child in the king's presence, but could not extract from him the slightest sign of intelligence. The queen then came in, and taking the infant in her arms, presented him to his father, with the same request that the duke had made before her. But all their efforts were in vain; the king continued dumb, and showed not the slightest perception of what they were doing, except that for one moment only he looked upon the babe, and then cast down his eyes again.²

There were no hopes, therefore, that the king himself would interfere in any way to protect his favourites in the

A.D. 1454.

The king
and his
child.

¹ No. 235.

² *Ibid.*

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Every man looks to himself. Council. Every man felt it necessary to see to his own security. The Lord Chancellor himself, Cardinal Kemp, 'commanded all his servants to be ready, with bow and arrows, sword and buckler, crossbows, and all other habiliments of war, to await upon the safeguard of his person.' The Duke of Buckingham caused to be made '2000 bends with knots—to what intent,' said a cautious observer, 'men may construe as their wits will give them.' Further from the court, of course, the old disturbances were increased. 'The Duke of Exeter, in his own person, hath been at Tuxforth beside Doncaster, in the north country, and there the Lord Egremont met him, and the two be sworn together, and the duke is come home again.' The Earl of Wiltshire and the Lord Bonville made proclamations in Somersetshire, offering sixpence a day to every man that would serve them; and these two noblemen, along with the Lords Beaumont, Poynings, Clifford, and Egremont, were preparing to come up to London each with as strong a body of followers as he could possibly muster.¹

The Duke
of York
and
Thorpe.

The Duke of York and his friends on their side did the same; and it was high time they should, otherwise the machinations of Somerset would certainly have been their ruin. The latter had spies in every great household, who reported to him everything that could be construed to the disadvantage of his opponents. Among York's private enemies, moreover, was Thomas Thorpe, Speaker of the House of Commons, who was also a Baron of the Exchequer. In the former capacity his functions had been for some time suspended; for Parliament, which had been prorogued to the 12th November at Reading, only met on that day to be prorogued again to the 11th February, in consequence of the mortality which prevailed in the town. Meanwhile, in Michaelmas term, the Duke of York took an action of trespass against him in his own Court of Exchequer, and a jury had awarded damages to the amount of £1000. On this judgment was given that he should be committed to the Fleet till the damages were paid, and in the Fleet the Speaker accordingly remained till the next meeting

¹ No. 235.

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of Parliament.¹ In his confinement he was now busily employed in drawing up a bill of articles against the Duke of York, which doubtless, with the aid of a little favour at Court, would have been highly serviceable to the cause of Somerset.²

The legal proceedings of which Thorpe was a victim appear doubtless to have been connected with party politics. His son and heir, Roger Thorpe, at the beginning of the reign of Henry VII. procured an Act of Parliament in his favour, showing that both he and his father had suffered injustice in the cause of the House of Lancaster, and that the Duke of York's action of trespass against his father was owing to his having arrested, at the king's command, 'certain harness and other habiliments of war of the said duke's.'³ No doubt this must have been the case, but was the king's command constitutional? Or was it, perhaps, only the command of Somerset given in the king's name? An agent had no right to obey an unconstitutional order.

About the 25th of January the Duke of York was expected in London, accompanied by a select body of men of his household retinue. With him came his son, the Earl of March, at this time not quite twelve years old; to whom, nevertheless, a separate household had already been assigned by his father, and consequently another company marched in the name of the Earl of March. These, however, were sent forward a little in advance. Along with the Duke of York there also came up, or was expected to come, his powerful friend the Earl of Warwick, who, besides the retinue by which he was attended, was to have a thousand men awaiting his arrival in London. Even these noblemen and their companies formed a most powerful confederacy. But there were two other great personages besides who travelled with them on the same road, whose sympathy and co-operation with York at this time no reader would have conjectured. The king's two half-brothers, the Earls of Richmond and Pembroke, were expected to reach London in the duke's company; and they, too, had wisely taken with them a good number of followers, for, notwith-

¹ *Rolls of Parl.* v. 238-9.

² No. 235.

³ *Rolls of Parl.* vi. 295.

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standing their relation to the Crown, it was thought not unlikely that they would be arrested on their arrival.¹

In short, the continuance of the king's infirmity had now rendered it clear to every man that unless the Council were willing to comply with the Queen's demands, and yield up to her the uncontrolled management of public affairs, the government of the kingdom must be placed in the hands of the Duke of York. And yet some little time was necessarily allowed to pass before any special powers could be intrusted to him. Parliament was not to sit again till the 11th February, and Reading was still the place where it was appointed to assemble. The Earl of Worcester, who filled the office of Lord Treasurer, was commissioned to go down to Reading, and cause it to adjourn from the 11th to the 14th of the month, to meet that day at Westminster. Meanwhile a commission was granted to the Duke of York to act as the king's lieutenant on its reassembling.²

Parliament
and the
Speaker.

On the 14th, accordingly, the Houses met in the royal palace of Westminster; but the Commons were without a Speaker, and another of their members, by name Walter Rayle, was also undergoing imprisonment, from what cause does not appear. The Commons, therefore, before proceeding to business, demanded of the King and the Lords Spiritual and Temporal, that their ancient privileges should be respected, and their Speaker and the other member liberated. The case was taken into consideration by the Peers on the following day, when it was explained by the Duke of York's counsel that the Speaker had a few months before gone to the house of Robert Nevill, Bishop of Durham, and there taken away certain goods and chattels belonging to the duke against his will; that for this he had been prosecuted in the Court of Exchequer, as it was a privilege of that court that its officers in such cases should not be sued before any other tribunal; that a jury had found him guilty of trespass, and awarded to the duke damages of £1000 and £10 costs. Speaker Thorpe had accordingly been committed to the Fleet for the fine due to the king. The proceedings against him had not been taken

¹ No. 235.

² *Rolls of Parl.* v. 238-9.

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during the sitting of Parliament, and it was urged that if he should be released by privilege of Parliament a great wrong would be done to the duke. It was a delicate question of constitutional law, and the Lords desired to have the opinion of the judges. But the chief justices, after consultation with their brethren, answered, in the name of the whole body, that it was beyond their province to determine matters concerning the privilege of Parliament; 'for this high court of Parliament,' they said, 'is so high and mighty in his nature that it may make law, and that that is law it may make no law; and the determination and knowledge of the privilege belongeth to the Lords of the Parliament, and not to the Justices.' Nevertheless, as to the accustomed mode of procedure in the lower courts, the Judges remarked that in ordinary cases of arrest a prisoner was frequently liberated on a writ of *supersedeas* to enable him to attend the Parliament; but no general writ of *supersedeas*, to surcease all processes, could be allowed; 'for if there should be, it should seem that this high court of Parliament, that ministereth all justice and equity, should let the process of the common law, and so it should put the party complainant without remedy, for so much as actions at the common law be not determined in this high court of Parliament.'¹

From this carefully considered reply it was clear to the Lords that they were at least nowise bound to interfere in behalf of the imprisoned Speaker, unless they considered the liberties of Parliament likely to be prejudiced by the circumstances of his particular case. It was accordingly decided that he should remain in prison, and that the Commons should be directed to choose another Speaker. This they did on the following day, and presented Sir Thomas Charleton to the Lord Chancellor as their new representative; who being accepted by that functionary in the name of the king, both Houses at once proceeded to business.²

A month later the Commons came before the Duke of York, as the king's lieutenant, with two very urgent petitions. The first related to the defence of Calais and the safeguard of Calais. Defence of

¹ *Rolls of Parl.* v. 239-40.

² *Ibid.* 240.

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the sea. Notwithstanding the very liberal grants which had already been voted by this Parliament, Calais was still in danger, and the sea was still very insufficiently protected; insomuch that the Lord Chancellor had told the House of Commons £40,000 would be required to obviate very serious perils. The Commons were very naturally alarmed; a modern House of Commons would have been indignant also. They had in the preceding year voted no less than £9300 for Calais, partly for repairs and partly for making jetties, besides all the sums voted for the pay of the garrison and the tonnage and poundage dues, which ought to have been applied to general purposes of defence. They therefore humbly petitioned to be excused from making any further grants; 'for they cannot, may not, ne dare not make any mo grants, considered the great poverty and penury that be among the Commons of this land, for whom they be comen at this time; and that this their excuse might be enacted in this high court of Parliament.' The money already voted was evidently conceived to be somewhere, and was considered to be quite sufficient to do the work required; so the Commons were told in reply by my Lord Chancellor the Cardinal, 'that they should have good and comfortable answer, without any great delay or tarrying.'¹

A council
required.

The second petition was that 'a sad and wise Council' might be established, 'of the right discreet and wise lords and other of this land, to whom all people might have recourse for ministering justice, equity, and righteousness; whereof they have no knowledge as yet.' The Duke of York was only the king's lieutenant in Parliament. With the assent of the Great Council he could prorogue or dissolve it and give the royal assent to any of its acts. But the business of the nation imperatively required that some smaller body of statesmen should be intrusted with more general powers. Even before the king's illness the constitution of some such body had been promised to the Parliament at Reading as a thing contemplated by the king himself;² and it was now more necessary than ever. The only problem was how to confer upon it an authority that could not be disputed.

¹ *Rolls of Parl.* v. 240.

² *Ibid.* 241.

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But while the Lords are taking this point into consideration, we invite the reader's attention to a piece of private history.

A few years before the date at which we have now arrived, one Thomas Denyes, a trusted servant of the Earl of Oxford, seems to have caused his master some little inconvenience by falling in love with a lady who resided in the neighbourhood of Norwich. We regret that we cannot inform the reader who she was. All that we know is that her Christian name was Agnes, which was at that time popularly corrupted into Anneys and frequently confounded with Anne, and that she was an acquaintance of John Paston's. With John Paston, accordingly, the earl thought it best to communicate, and in doing so earned for himself the heartfelt gratitude of Denyes by one of those small but truly gracious acts which reveal to us better than anything else the secret of the power of the English aristocracy. The lady seems not to have given her admirer any great encouragement in his suit. She had property of her own worth 500 marks, and could have had a husband in Norfolk with land of 100 marks value, which was more than Denyes could offer her. But the Earl of Oxford requested John Paston to intercede with her in behalf of her wooer, promising her that if the marriage took effect the Earl would show himself liberal to them both. He further offered, if it would be any satisfaction to her, to go himself into Norfolk and visit her.¹

This intercession was effectual, and the lady became the wife of Thomas Denyes. It was a triumph of love and ambition to a poor dependant on a great earl. But with increase of wealth, as others have found in all ages, Denyes experienced an increase of anxieties and of business also. A suit in Chancery was commenced against him and his wife by a gentleman of the name of Ingham, who considered himself to have a claim on the lady's property for a considerable sum of money. Ingham's son Walter was active in procuring the *subpœna*. But Denyes, strong, as he believed, in a great lord's favour, conceived a plan by which he might either interrupt the

¹ Nos. 124, 240.

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suit or revenge it on the person of Walter Ingham. On the 11th of January 1454—just about the time the queen and Buckingham were making those vain attempts to introduce his child to the notice of the unhappy king—when, consequently, it was still uncertain whether York or Somerset would have the rule, and when lawless persons all over the country must have felt that there was more than usual immunity for bad deeds to be hoped for,—Thomas Denyes wrote a letter in the name of the Earl of Oxford to Walter Ingham, requiring his presence at the earl's mansion at Wivenhoe, in Essex, on the 13th. This letter reached Ingham at Dunston, in Norfolk, and he at once set out in obedience to the summons. But as he was nearing his destination, on the 12th, he was waylaid by a party in ambush hired by Denyes, who beat him so severely upon the head, legs, and back that he was maimed for life, and compelled to go on crutches for the rest of his days. Ingham complained of the outrage to the Lord Chancellor, Cardinal Kemp, who sent a serjeant-at-arms to arrest Denyes at Lincoln's Inn; but he at first refused to obey the arrest. Shortly afterwards, however, he was committed to the Fleet prison; and Ingham, with the favour of the cardinal and the Earl of Oxford, who utterly repudiated the act of his dependant, presented a petition to Parliament that he should not be admitted to bail or mainprise until he had been tried for the outrage and all actions between him and Ingham had been fully discussed and settled.¹

The Earl of Oxford seems to have been thoroughly incensed, and not without reason, against a servant who had so abused his trust. Cardinal Kemp, as chancellor, was not less righteously indignant; and a bill was actually passed through the House of Peers in accordance with the prayer of Ingham's petition. Yet it is difficult to understand why the punishment of the wrong committed was not left to the operation of ordinary criminal law. The case, perhaps, affected too seriously the honour of a nobleman, and the discretion to be allowed to a retainer. But whatever may have been the cause, poor Denyes now becomes positively an

Walter
Ingham
waylaid.

¹ Nos. 238, 239.

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object for compassion—all the more so because his chief feeling in the matter was not a selfish one. Besides imprisoning Denyes himself in the Fleet, the cardinal and the Earl of Oxford threw his wife into the Counter, and afterwards sent her to Newgate, where she suffered the discomforts of a gaol apart from her husband, although she was then with child. ‘Which standeth too nigh mine heart,’ is the brief expression in which he conveys his feelings to John Paston, while apparently he was expecting to hear that his wife was either dead or prematurely delivered; for the treatment she had met with brought on the pains of labour long before the right time had come. Denyes, however, made friends with the warden of the Fleet prison, who contrived in some manner to make interest for her with her gaoler, so that afterwards she was rather better treated, and at last admitted to bail.¹

Denyes
and his
wife in
prison.

Poor Denyes was in dread of still further evils arising out of the case when he wrote these facts to John Paston. The bill against him had already passed through the Lords, and he was in fear that it might pass through the Commons also, which we afterwards learn that it did not.² His adversary, moreover, was bent upon revenge; ‘for Ingham,’ he said, ‘lieth, beside that, to take away my wife’s daughter out of Westminster,³ to make an end of my wife if he can, and also to arrest my servants, that I dread that she nor I shall have no creature to attend us ne help us; and such malice have I never heard of here before. And it is told me that beside that they will despoil, if any good they can find of mine in Norwich or Norfolk, and imprison my servants there.’ All this he urgently implored Paston to prevent to the best of his ability. And it must be said that John Paston, although he considered himself little bound to Denyes, except in so far as he had promoted his marriage at the Earl of Oxford’s solicitation, on this occasion stood his friend. He wrote a letter to the earl urgently interceding for the unhappy wife; and though it

¹ No. 239.

² No. 244.

³ Apparently Agnes Denyes had taken sanctuary at Westminster before her imprisonment. The manner in which Denyes here speaks of her daughter gives us reason to believe that she was a widow before he married her.

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seems probable the letter that he first wrote was not actually sent, we may fairly presume that he either devised a second to the same effect, or used his influence otherwise to the same end. Certain it is that he made some effort for which Denyes was beyond measure grateful.¹

Death of
Cardinal
Kemp.

‘The cardinal is dead and the king is relieved.’ Such were the last words of a postscript which Denyes appended to his first melancholy letter, complaining of his own and his wife’s imprisonment. A rumour apparently had been spread that the king’s health was beginning to improve ; for which, as we shall see, there was very little foundation. But it was perfectly true that Cardinal Kemp, Archbishop of Canterbury and Chancellor of England, was dead. Little as we know, beyond a few broad facts of his career, whereby to judge his real character and aims; it is certain that he was an accomplished statesman. A follower originally of Cardinal Beaufort,—the man who of all others could serve two masters, Rome and England, with the least degree of repugnance, and of whom the best that can be said is, that he never scrupled to betray the former in what appeared to be the interest of the latter,—Kemp was, perhaps, as honest a specimen of the political churchman as an essentially bad system could produce. The clergy, however, were really needed as statesmen ; few laymen had the ability, learning, or education to enable them to do the essential work of the nation ; and Kemp was one who had gained for himself, by his own talents, the highest position to which a subject could aspire in England, not only in the realm but in the Church.

Thus, at a time when the functions of royalty itself were suspended, the chancellor, the official keeper of the king’s conscience, was suddenly taken away ; and in him England also lost her primate, always one of the most important members of the Council. The formation of a governing Council was now more important than ever ; but the most pressing questions of all were the appointment of a new chancellor and of a new archbishop. Who was to take upon himself to nominate either the one or the other ? The queen’s modest claim to be invested with the functions of her husband

¹ Nos. 240, 245.

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had not been listened to by the Lords; but the powers as yet conferred upon the Duke of York were only to represent the king in Parliament.

It was upon the 19th of March that the Commons had pressed their petition for the establishment of a Council. Cardinal Kemp died on the 22nd. On the 23rd the Lords appointed twelve of their number as a deputation, headed by Waynflete, Bishop of Winchester, to ride to Windsor and endeavour, if possible, to lay the state of matters before the king. Their instructions were drawn up in six articles, but only two were to be communicated to the king if they found him unable to pay attention to what was said. These two were a mere assurance of anxiety to hear of his recovery, and that the Lords, under the presidency of the duke as his lieutenant, were using their best discretion in the affairs of the nation. If any response were made to these two articles, the deputation was then to tell him of the death of Cardinal Kemp, and ask to know his pleasure who should be the new archbishop and who should be appointed chancellor. They were to say that for the security of the Great Seals (there were at this time no less than three Great Seals used in the Chancery)¹ the Lords had caused them to be produced in Parliament, and after being seen by all the Lords they were enclosed in a coffer sealed by a number of the Peers present, and then laid up in the Treasury. Finally, they were to ask the king's mind touching the establishment of a Council, telling him how much it was desired by the Commons, and suggesting the names of certain Lords and persons whom it was thought desirable to appoint as Councillors. All these matters, however, were to be communicated only to the king in the strictest privacy.²

The deputation returned two days after with a report of the total failure of their mission. They had waited on the king at Windsor just after he had dined, but could get from him no answer nor sign that he understood their message. The Bishop of Winchester then told the king that the Lords had not dined, and that after they had they would wait on him

Deputation of
Lords to
the king.

The king's
imbecility.

¹ Nicolas's *Privy Council Proceedings*, vol. vi. preface, pp. clxxviii.-ix.

² *Rolls of Parl.* 240-1.

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again. After dinner accordingly they were again with him, and tried all they could to elicit an answer ; but the king was speechless. They then proposed that he should go into another room, and he was led between two men into his bedchamber. A third and last effort was then made to rouse him by every expedient that could be imagined ; and when all else failed, a question was put to him which involved no more than a simple yes or no. Was it his Highness's pleasure that they should wait on him any longer ? A long pause was allowed in the hope that any mere physical difficulty might be overcome. A faint nod, even a shake of the head, would have been regarded with some degree of satisfaction. But it was all in vain. 'They could have no answer, word ne sign ; and therefore with sorrowful hearts, came their way.'¹

It was now clear that the highest constitutional authority resided for the time in the Lords Spiritual and Temporal. The reader, imbued with modern notions of the power and prestige of the House of Commons, may possibly think that their votes, too, should have been consulted in the formation of a Government. Such a view, however, would be radically erroneous. The influence which the House of Commons has in later times acquired—an influence so great that, at times unhappily, Acts are even passed by Peers against their own sense of right and justice, in deference to the will of the Lower Chamber—is a thing not directly recognised by the constitution, but only due to the control of the national purse-strings. Strictly speaking, the House of Commons is not a legislative body at all, but only an engine for voting supplies. The Peers of the realm, in Parliament or out of Parliament, are, according to the constitution, the sovereign's privileged advisers. A king may, no doubt, at any time call to him what other councillors he pleases, and the prerogative of the Lords may lie dormant for a very long period of time ; but the Peers of the realm have, individually or in a body, a right to tender their advice upon affairs of state, which belongs to no other class in the community.

On the 27th of March, therefore—two days after the

¹ *Rolls of Parl.* 241.

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report of the deputation that had seen the king at Windsor—the Lords took the first step towards the establishment of order and government, by electing Richard, Duke of York, as Protector and Defender of the realm. The title of Protector essentially implied an interim administrator during a period when the king, by legal or physical incapacity, was unable to exercise his regal functions in person. A Protector's tenure of power was therefore always limited by the clause *quamdiu Regi placeret*. It was terminable by the king himself the moment he found himself able to resume the actual duties of royalty. Even a protectorship like that of Humphrey, Duke of Gloucester, instituted in consequence of the king being an infant, was terminated before the royal child was eight years old by the act of his coronation. The crowned and anointed infant became a king indeed, and therefore no longer required the services of a Protector; so from that day Duke Humphrey had ceased to wield any authority except that of an ordinary member of the Council. But, indeed, even during his protectorship, his powers were greatly circumscribed; and it had been expressly decided by the Council that he was not competent to perform an act of state without the consent of a majority of the other Lords. Richard, therefore, knowing that his powers would be limited, was most anxious that his responsibility should be accurately defined, that no one might accuse him thereafter of having exceeded the just limits of his authority. He delivered in a paper containing certain articles, of which the first was as follows:—

‘Howbeit that I am not sufficient of myself, of wisdom, cunning, nor ability, to take upon me that worthy name of Protector and Defender of this land, nor the charge thereto appertaining, whereunto it hath liked you, my Lords, to call, name, and desire me unworthy thereunto;—under protestation, if I shall apply me to the performing of your said desire, and at your instance take upon me, with your supportation, the said name and charge, I desire and pray you that in this present Parliament and by authority thereof it be enacted, that of yourself and of your free and mere disposition, ye desire, name and call me to the said name and charge, and that of any presumption of myself, I take them not upon me, but only of the due and humble

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obeisance that I owe to do unto the king, our most dread and Sovereign Lord, and to you the Peerage of this land, in whom by the occasion of the infirmity of our said Sovereign Lord, resteth the exercise of his authority, whose noble commandments I am as ready to perform and obey as any his liege man alive; and at such time as it shall please our blessed Creator to restore his noble person to healthful disposition, it shall like you so to declare and notify to his good grace.¹

In reply to this, it was put on record that it was 'thought by the Lords that the said Duke desireth that of his great wisdom for his discharge.' And they, too, for their own justification, resolved that an Act should be made according to a precedent during the king's minority, setting forth that they themselves, from the sheer necessity of the case, had been compelled to take upon themselves the power of nominating a Protector. So jealous were the Lords of anything like an invasion of the royal prerogative!

Further, the duke required that the Lords would aid him cordially in the execution of his duties and would exactly define such powers and liberties as they meant him to exercise; that they would arrange what salary he should receive; and that all the Lords Spiritual and Temporal belonging to the King's Council would agree to act in the Councils of the Protector. These matters being at length satisfactorily adjusted, the duke was formally created Protector by patent on the 3rd of April. It was, however, at the same time provided by another patent that the office should devolve on the king's son as soon as he came of age.² After this, five Lords were appointed to have the keeping of the sea against the king's enemies, and in addition to the subsidies already voted by Parliament for that object, a loan, amounting in all to £1000, was levied upon the different seaports.³ This was but light taxation, and was no doubt cheerfully submitted to. The good town of Bristol, we know, did more than it was asked; for Sturmyrn, the Mayor, fitted out a stately vessel expressly for the war.⁴ Evidently there were zeal and patriotism in the

¹ *Rolls of Parl.* v. 242.

² *Rolls of Parl.* 244-5.

³ *Ibid.* 243.

⁴ No. 249.

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country whenever there was a government that could make good use of them.

And there was real need of that patriotism; for the French were again threatening Calais. They also made a descent in great force on the isles of Jersey and Guernsey, but were defeated by the valour and loyalty of the inhabitants, who killed or took prisoners no less than five hundred of their assailants.¹ A Council was called to meet at Westminster on the 6th of May, to take measures for the defence of Calais,² the result of which and of further deliberations on the subject was seen in the appointment of the Duke of York as captain or governor of the town, castle, and marches. This office was granted to him by patent on the 18th of July,³ but he only agreed to undertake it, as he had done the Protectorship, subject to certain express conditions to which he obtained the assent of the Lords in Parliament. Among these was one stipulation touching his remuneration, in which he affirms that he had served the king formerly at his own cost in the important offices he had filled in France and in Ireland, so that owing to non-payment of his salary, he had been obliged to sell part of his inheritance and pawn plate and jewels which were still unredeemed.⁴ A very different sort of governor this from the avaricious Somerset!

Meanwhile other changes had been made in the administration. On the 2nd of April—the day before the duke's appointment as Protector—the Great Seal had been given to Richard Nevill, Earl of Salisbury, as chancellor; and to prevent any renewal of disturbances in the North by the earl's former opponent Lord Egremont, his father, the Earl of Northumberland, was summoned before the Council. But before the day came which was given him to make his appearance, news arrived that Lord Egremont had already been making large assemblies and issuing proclamations of rebellion, in concert with the Duke of Exeter. To restore tranquillity,

¹ No. 247.

² Nicolas's *Privy Council Proceedings*, vi. 174.

³ Rymer, xi. 351. Carte's *Gascon and French Rolls*.

⁴ *Rolls of Parl.* v. 252.

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it was thought proper that the Duke of York should go down into Yorkshire, where he no sooner made his appearance than his presence seems to have put an end to all disturbances. The Duke of Exeter disappeared from the scene and was reported to have gone up secretly to London; but the adherents of Lord Egremont continued to give some trouble in Westmoreland. Thither the Duke of York accordingly received orders from the Council to proceed; but he probably found it unnecessary, for on the 8th of June it is stated that he intended remaining about York till after the 20th. Every appearance of disturbance seems to have been quelled with ease; and a number of the justices having been sent into Yorkshire for the punishment of past offences, the Protector was able to return to London in the beginning of July.¹

It was at this time that the two eldest sons of the Duke of York, Edward, Earl of March, and Edmund, Earl of Rutland, who were of the ages of twelve and eleven respectively, addressed the following interesting letter to their father: ²—

‘To the ryght hiegh and myghty Prince, oure most worschipfull and gretely redoubted lorde and fader, the Duke of Yorke, Protector and Defensor of Englande.

‘Ryght hiegh and myghty Prince, oure most worschipfull and gretely redoubted lorde and Fader, in as lowely wyse as any sonnes con or may we recomaunde us un to youre good lordeschip. And plaese hit youre hieghnesse to witte that we have receyved youre worschipful lettres yesturday by your servaunt William Cleton, beryng date at Yorke the xxix day of Maij, by the whiche William and by the relacion of John Milewatier we conceyve your worschipfull and victorious spede ageinst your enemyse, to ther grete shame, and to us the most comfortable tydinges that we desired to here. Where of we thonke Almyghty God of his yestes, beseching Hym hertely to geve yowe that grace and cotidian fortune here aftur to knowe your enemyse and to have the victory of them. And yef hit plaese your hieghnesse to knowe of oure wilfare, at the makyng of this lettre we were in good helith of bodis, thonked be God; beseching your good and graciouse Faderhode of youre daily blessing. And where ye comaunde

¹ Nicolas's *Privy Council Proceedings*, vi. 178, 193-7. Nos. 247, 249.

² Printed from the original in ms. Cott., Vespasian F. xiii. fol. 35.

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us by your said lettres to attende specialy to oure lernyng in our yong age that schulde cause us to growe to honour and worschip in our olde age, Please hit youre hieghnesse to witte that we have attended owre lernyng sith we come heder, and schall here aftur ; by the whiche we trust to God youre-graciously lordeschip and good Faderhode schall be plaesid. Also we beseche your good lordeschip that hit may plaese yowe to sende us Harry Lovedeyne, grome of your kechyn, whos service is to us ryght agreable ; and we will sende yow John Boyes to wayte on youre good Lordeschip. Ryght hiegh and myghty Prince, our most worschipfull and gretely redoubted lorde and Fader, We beseche Almyghty God yeve yowe as good lyfe and longe as youre owne Princely hert con best desire. Writen at your Castill of Lode-low the iij day of June.—Your humble sonnes,

‘ E. MARCHE,
‘ E. RUTLOND.’

Soon after the duke had returned to London his presence was required at a Great Council summoned for the 18th of July, to consider the expediency of liberating on bail his great rival and personal enemy, the Duke of Somerset, ^{The Duke of Somerset.} who had been now seven months in prison. On this point York had only one piece of advice to offer, which was, that as he had been committed to custody upon suspicion of treason, the opinion of the judges should be taken before he was released from confinement. That he had remained so long without a trial was not unnatural, considering the nature of the times. It was a bold step indeed to try him at all, while there was a chance of the weak-minded king's recovery ; but this step was certainly resolved on. The 28th of October was the day appointed for his trial ; and the Duke of Norfolk, who, as we have seen, had been the first to move the capital charge against him, was ordered by that day to be ready to produce his proofs. Meanwhile the lords concurred that it was clearly inexpedient to let him go, especially as the number of lords assembled was not so great as it should have been on the occasion ; and the opinion of the Duke of York was not only agreed to, but at his request was put on record.¹

Six days later it was agreed at another meeting of the

¹ Nicolas's *Privy Council Proceedings*, vi. 207.

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Council that the Duke of York should return into the North with the Duke of Exeter in his custody, whom he was to confine in the castle of Pomfret as a state prisoner.¹

By these decisive steps the authority of the Duke of York was at length secured on something like a stable footing. During the remainder of his protectorate there could no longer be a doubt to whose hands power was committed; and England, at last, had the blessing of real government, able and vigorous, but at the same time moderate. The resolutions of the Council soon became known to the public. 'As for tidings,' wrote William Paston to his brother in Norfolk, 'my lord of York hath taken my lord of Exeter into his award. The Duke of Somerset is still in prison, in worse case than he was.' William Paston wrote in haste, but these were two matters of public importance to be mentioned before all private affairs whatever.² And yet the private affairs of which he wrote in the same letter will not be without interest to the readers of this Introduction. William Paston now reported to his brother that Sir John Fastolf was about to take his journey into Norfolk within a few days, and proposed to take up his residence at Caister. His going thither must have been regarded as an event not only in the neighbourhood of Yarmouth but even in the city of Norwich. At all events it was highly important to John Paston, whose advice the old knight valued in many matters. 'He saith,' wrote William Paston to his brother, 'ye are the heartiest kinsman and friend that he knoweth. He would have you at Mauteby³ dwelling.' This must have been written in the latter part of July. Sir John did not actually go into Norfolk quite so soon as he intended; but he appears to have been there by the beginning of September.⁴

Sir J.
Fastolf
goes to
reside in
Norfolk.

There in his completed castle of Caister he had at length taken up his abode, to spend the evening of his days in the place of his birth, and on the inheritance of his ancestors. There during the next five years he spent his time, counting

¹ Nicolas's *Privy Council Proceedings*, vi. 217, 218.

² No. 254.

³ The manor of Mauteby, which came to John Paston by his marriage, was only three miles distant from Caister.

⁴ No. 260.

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over the items of a number of unsettled claims he had against the crown,¹ and meditating also, it would seem, on another account he had with Heaven. For the latter the foundation of a college² or religious endowment, in which were to be maintained 'seven priests and seven poor folk' at Caister, might possibly liquidate his debts. But in his transactions with his fellowmen he was certainly for the most part a creditor, and by no means one of the most generous. Instances will be found in his letters in abundance showing with what vehemence (testy old soldier that he was!) he perpetually insisted on what was due to himself;—how he desired to know the names of those who would presume to resist his agent, Sir Thomas Howes—how they should be requited 'by Blackbeard or Whitebeard, that is to say, by God or the Devil';³—how he noted that Sir John Buck had fished his stanks and helped to break his dam;⁴ how he had been informed that at a dinner at Norwich certain gentlemen had used scornful language about him, and desired to know who they were.⁵ In this perpetual self-assertion he seems neither to have been over-indulgent towards adversaries nor even sufficiently considerate of friends and dependants. 'Cruel and vengeable he hath been ever,' says his own servant Henry Windsor, 'and for the most part without pity and mercy.'⁶ So also on the part of his faithful secretary, William Worcester, we find a complaint of shabby treatment, apparently at this very time when the household was removed to Caister. To a letter in which John Paston had addressed him as 'Master Worcester,' the latter replied with a request that he would 'forget that name of mastership,' for his position was by no means so greatly improved as to entitle him to such respect. His salary was not increased by one farthing in certainty—only 'wages of household in common, *entaunt come nows plaira*'—which apparently means, assured to him only during his master's pleasure. When he complained to his master of this, all the satisfaction he obtained was that Sir John expressed a

¹ Nos. 309, 310.

³ No. 125.

⁵ No. 272.

² Nos. 340, 350, 351, 385, 386, 387.

⁴ Nos. 160, 161.

⁶ No. 332.

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wish he had been a priest, when he could have rewarded him with a living.¹

There are, indeed, in more than one of Worcester's letters in this collection symptoms of ill-concealed chagrin and disappointment. Nor were such feelings unnatural in one who, probably out of regard for an ill-appreciated hero, had devoted the best energies of his life to the services of such a master as Fastolf. A native of Bristol, the son of one William Worcester, who lived in St. James's Bec in that town, he was descended by the mother's side from a wealthy family of Coventry, and often called himself, instead of Worcester, by his mother's maiden name of Botoner. Born in the year 1415, he had entered the university of Oxford in 1432, and been four years a student at Hart Hall, now Balliol College; after which he had gone into Fastolf's service. For many years he had been steward of Sir John's manor of Castle Combe in Wiltshire, and mss. still exist in his handwriting relating to the holding of manorial courts there.² He had also been Fastolf's secretary in drawing up various statements regarding the wars in France in vindication of his master's policy.³ He was a man of literary tastes, who had already presented some compositions to his patron.⁴ Later in life he wrote a book of annals, which is an important historical authority for the period. It seems to have been about a year before his master's death that he set himself assiduously to learn French, under the tuition of a Lombard named Carroll Giles.⁵ From this instructor he had purchased several books, and Henry Windsor suspected he had run himself into debt in consequence. He had fairly owned to Windsor 'he would be as glad and as fain of a good book of French or of poetry, as my master Fastolf would be to purchase a fair manor.'⁶ But

¹ Nos. 258, 259.

² Add. Ms. 28,208, B.M.

³ Stevenson's *Wars*, ii. [519], sq.

⁴ 'Stellæ versificatæ pro anno 1440 ad instantiam J. Fastolfe militis.' Ms. Laud., B. 23 (according to the old pressmark).

⁵ Letter 370.

⁶ In previous editions it was here remarked:—'This French zeal appears to have excited the contempt of some of his acquaintances—among others of Friar Brackley, who nicknamed him *Colinus Gallicus*.' The discovery of additional letters, formerly published in a Supplement, but now incorporated with the series, seems to show that this was an error, or at all events very doubtful. It is clear from Letter 404 that

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he had a special object in view in which a knowledge of this language was important; for he had begun translating, at Fastolf's request, from a French version, Cicero's treatise *de Senectute*. This work appears to have been left on his hands at Sir John Fastolf's death, and on the 10th of August 1473 he presented it to his patron's old friend, Bishop Waynflete, at Esher. 'Sed nullum regardum recepi de episcopo' (but I received no reward from the bishop), is his melancholy comment on the occasion.¹ The work was ultimately printed by Caxton in 1481. Worcester was an assiduous collector of information on topics of every description, and a number of his commonplace books remain at this day. But like many men of letters after him, he found that industry of this sort may look in vain for any reward beyond the satisfaction of gratified curiosity.²

Along with the announcement that Sir John Fastolf was about to go into Norfolk, William Paston informed his brother that the old knight's stepson, Stephen Scrope, would reside at Caister along with him. Of this Stephen Scrope our Letters make not unfrequent mention; but the leading facts of his history are obtained from other sources. He was the son of Sir Stephen Scrope, by his wife Lady Milicent, who married Fastolf after her husband's death. At the time of this second marriage of his mother, young Scrope was about ten or twelve years of age, and being heir to a considerable property, his stepfather had the management of his affairs during his minority. Bitterly did he complain in after years of the

a certain 'W. W.' and Colinus Gallicus were different persons (*see* vol. iii. p. 213, note 3), and the references to 'W. W.' at p. 230 as the knight's secretary and one of his executors remove any doubt that we might otherwise entertain that he was William Worcester. But a new difficulty arises from that identification, that Friar Brackley calls 'W. W.' an Irishman, which William Worcester was not; and the references at p. 220 of the same volume would imply that he was really an Irishman in nationality, and also a one-eyed man of dark visage. Such may have been Worcester's personal appearance; but why was he called an Irishman?

It is with some hesitation that I hazard a new conjecture as to the person nicknamed Colinus Gallicus; but on comparing the different passages where that nickname occurs, I am inclined to think it was meant for Judge Yelverton.

¹ Itin. 368.

² Tanner's *Bibliotheca*. See also a notice of William Worcester in *Retrospective Review*, Second Series, ii. 451-4.

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manner in which Sir John had discharged the trust. According to the unfeeling, mercenary fashion in which such matters were then managed, Fastolf sold his wardship to Chief-Justice Gascoigne for 500 marks; 'through the which sale,' wrote Scrope at a later date, 'I took sickness that kept me a thirteen or fourteen years [en]suing; whereby I am disfigured in my person and shall be whilst I live.' Gascoigne held this wardship for three years, and by right of it intended to marry Scrope to one of his own daughters; but as the young lad's friends thought the match unequal to his fortune, Fastolf bought the wardship back again.¹ Stephen Scrope, however, when he grew up, was not more grateful for the redemption than for the original sale of his person. 'He bought me and sold me as a beast' (so he writes of Sir John Fastolf), 'against all right and law, to mine hurt more than 1000 marks.' In consequence of the stinginess of his stepfather he was obliged, on coming of age, to sell a manor which was part of his inheritance and take service with Humphrey, Duke of Gloucester in France; by whom, according to his own account, he had some hope of obtaining restitution of the lordship of the Isle of Man, which had belonged to his uncle the Earl of Wiltshire in the days of Richard II. But Sir John Fastolf got him to give up his engagement with the duke and serve with himself, which he did for several years, to the satisfaction of both parties. Afterwards, however, on some dispute arising, Scrope returned to England, when Sir John sent home word that he must pay for his meat and drink. To do this he was driven to contract a marriage which, by his own account, was not the most advantageous for himself; and his stepfather, instead of showing him any compassion, brought an action against him by which he was deprived of all the little property that his wife had brought him.²

Of this first wife of Stephen Scrope we know nothing,³

¹ No. 97.

² Scrope's *History of the Manor of Castle Combe*, pp. 264-283. The mss. formerly at Castle Combe, to which Mr. Scrope refers in this work, have since been presented by him and Mr. Lowndes, the present lord of the manor, to the British Museum. One of them we have reprinted in No. 97.

³ She is not unlikely to have been the lady mentioned in No. 97. 'Fauconer's

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except that she died and left him a daughter some years before we find any mention of him in the Paston correspondence. His necessities now compelled him to resort to the same evil system of bargaining in flesh and blood of which he had complained in his own case. 'For very need,' he writes, 'I was fain to sell a little daughter I have for much less than I should have done by possibility,'—a considerable point in his complaint being evidently the lowness of the price he got for his own child. It seems that he disposed of her wardship to a knight¹ whose name does not appear; but the terms of the contract became matter of interest some time afterwards to John Paston and his mother, when Scrope, who, besides being disfigured in person, was probably not far from fifty years of age, made an offer for the hand of Paston's sister Elizabeth, a girl of about twenty. The proposed match did not take effect; but it was for some time seriously entertained. Agnes Paston writes that she found the young lady herself 'never so willing to none as she is to him, if it be so that his land stand clear.'² The reader will perhaps think from this expression that the young lady had been pretty early taught the importance of considering worldly prospects; but there were other motives which not improbably helped to influence her judgment. 'She was never in so great sorrow as she is now-a-days,' wrote Elizabeth Clere to John Paston, as a reason for concluding the matter at once with Scrope, if no more desirable suitor presented himself. Her mother would not allow her to see any visitor, and was suspicious even of her intercourse with the servants of her own house. 'And she hath since Easter the most part been beaten once in the week or twice, and sometimes twice in one day, and her head broken in two or three places.'³ Such was the rough domestic discipline to which even girls in those days were occasionally subjected!

daughter of London, that Sir Reynold Cobham had wedded.' This I find need not have been, as I have stated in a footnote, the widow of Sir Reginald Cobham of Sterborough, who died in 1446; for there was an earlier Sir Reginald Cobham, whose widow Elizabeth was married to William Clifford as early as 1438. (*Inquisitiones post mortem*, 16 Hen. vi. No. 31.) Thus there is the less difficulty in attributing Letter 97 to a much earlier date than that assigned to it by the endorsement.

¹ Letter 94.

² No. 93.

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Some years certainly elapsed after this before either Stephen Scrope found a wife or Elizabeth Paston a husband. The former ultimately married Joan, the daughter of Richard Bingham, judge of the King's Bench; the latter was married to Robert Poynings, whom we have already had occasion to notice as an ally of Jack Cade in 1450, and a ringleader in other movements a few years later. This second marriage appears to have taken place about New Year's Day 1459;¹ before which time we find various other proposals for her hand besides that of Scrope.² Among these it may be noted that Edmund, Lord Grey of Hastings, wrote to her brother to say that he knew a gentleman with property worth 300 marks (£200) a year to whom she might be disposed of. No doubt, as in similar cases, this gentleman was a feudal ward, whose own opinion was the very last that was consulted as to the lady to whom he should be united. But it is time that we return to the current of public affairs.³

The Strife of Parties

The king's
recovery.

At Christmas, to the great joy of the nation, the king began to recover from his sad illness. He woke up, as it were, from a long sleep. So decidedly had he regained his faculties, that, first, on St. John's Day (27th December), he commanded his almoner to ride to Canterbury with an offering, and his secretary to present another at the shrine of St. Edward. On the following Monday, the 30th, the queen came to him and brought with her the infant prince, for whom nearly twelve months before she had in vain endeavoured to bespeak his notice. What occurred at that touching interview we

¹ See No. 374.

² Nos. 236, 250, 252.

³ We ought not to leave unnoticed one fact in the relations of Scrope and Fastolf which is much more creditable to both of them than the disputes above mentioned. In the year 1450, Scrope translated from the French and dedicated to Sir John, 'for his contemplation and solace,' a work entitled *Ditz de Philosophus* (Sayings of Philosophers), of which the original ms. is now in the Harleian Collection, No. 2266. That Fastolf was a real lover of literature, and encouraged literary tastes in those about him, there can be no question.

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know from a letter of Edmund Clere to John Paston, and it would be impossible to wish it recorded in other words. 'And then he asked what the Prince's name was, and the queen told him, "Edward"; and then he held up his hands and thanked God thereof. And he said he never knew till that time, nor wist what was said to him, nor wist not where he had been whilst he hath been sick, till now. And he asked who was godfathers, and the queen told him; and he was well apaid. And she told him that the cardinal (Kemp) was dead; and he said he knew never thereof till that time; and he said one of the wisest lords in this land was dead.'¹

On the 7th of January, Bishop Waynflete and the Prior of St. John's were admitted to speak with him, and finding his discourse as clear and coherent as they had ever known it, on coming out of the audience chamber they wept for joy.² A.D. 1455

Joy was doubtless the prevailing sentiment among all ranks and classes of people; but there was one to whom the news of the king's recovery must have afforded a delight and satisfaction beyond what any one else—unless it were Queen Margaret—could possibly derive from it. The Duke of Somerset had now lain in prison more than a year. The day appointed for his trial had passed away and nothing had been done. It certainly casts some suspicion upon the even-handed justice of the Duke of York, that his adversary was thus denied a hearing; but the fault may have been due, after all, to weakness more than malice. In cases of treason, when once a trial was instituted against a leading nobleman, a conviction was, in those days, an absolutely invariable result; but this made it a thing all the more dangerous to attempt when it was hopeless to expect the positive sanction of the king. The real cause, however, why Somerset was not brought to trial can only be a matter of conjecture. His continued confinement, however harsh, was, according to the practice of those days, legal; nor was it till six weeks after the king's recovery that he was restored to liberty. A new day, meanwhile, and not a very early one, was fixed for the hearing of charges against him. On the morrow of All Souls—the 3rd of November following

¹ No. 270.

² *Ibid.*

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—he was to appear before the Council. This was determined on the 5th of February. Four lords undertook to give surety in their own proper persons that he would make his appearance on the day named ; and orders were immediately issued to release him from confinement.¹

On the 4th day of March, he presented himself at a Council held before the king in his palace at Greenwich. The Duke of York was present, with ten bishops and twenty temporal peers, among whom were the Protector's friend, the Earl of Salisbury, Lord Chancellor, the Earl of Worcester, Treasurer of England, and the king's half-brother, the Earl of Pembroke. His accuser, the Duke of Norfolk, was absent, probably not without a reason. In presence of the assembled lords, Somerset then declared that he had been imprisoned without a cause and confined in the Tower of London one whole year and more than ten weeks over, and had only been liberated on bail on the 7th of February. So, as he declared there was no charge made against him for which he deserved to be confined, he besought the king that his sureties might be discharged ; offering, if any one would accuse him of anything contrary to his allegiance, that he would be ready at all times to answer according to law and like a true knight. His protestations of loyalty were at once accepted by the king, who thereupon declared that he knew the duke to be his true and faithful liegeman, and wished it to be understood that he so reputed him. After this, the mouths of all adversaries were of course sealed up. The duke's bail were discharged. His character was cleared from every insinuation of disloyalty ; and whatever questions might remain between him and the Duke of York were referred to the arbitration of eight other lords, whose judgment both parties were bound over in recognisances of 20,000 marks, that they would abide.²

The significance of all this could not be doubtful. The king's recovery had put an end to the Duke of York's power as Protector, and he was determined to be guided once more by the counsels of the queen and Somerset. On the 6th March,

¹ Rymer, xi. 361.

² *Ibid.* 362, 363.

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York was deprived of the government of Calais which he had undertaken by indenture for seven years.¹ On the 7th, the Great Seal was taken from the Earl of Salisbury and given to Thomas Bouchier, Archbishop of Canterbury. These changes, or at least the former, promised little good to the country; and in the beginning of May we not only find that Calais stood again in imminent danger of siege,² but that considerable fears were entertained of an invasion of England.³ But to the Duke of York they gave cause for personal apprehension. Notwithstanding the specious appointment of a tribunal to settle the controversy between him and Somerset, it was utterly impossible for him to expect anything like an equitable adjustment. A Council was called at Westminster in the old exclusive spirit, neither York nor any of his friends being summoned to attend it. A Great Council was then arranged to meet at Leicester long before the day on which judgment was to be given by the arbitrators; and it was feared both by York and his friends, the Earls of Salisbury and Warwick, that if they ventured to appear there they would find themselves entrapped. The ostensible ground of the calling of that council was to provide for the surety of the king's person; from which it was fairly to be conjectured that a suspicion of treason was to be insinuated against persons who were too deservedly popular to be arrested in London with safety to the Government.⁴

York had by this time retired into the north, and uniting with Salisbury and Warwick, it was determined by all three that the cause assigned for the calling of the Council justified them in seeking the king's presence with a strong body of followers. On the 20th May they arrived at Royston, and from thence addressed a letter to Archbishop Bouchier, as Chancellor, in which they not only repudiated all intention of disloyalty, but declared that, as the Council was summoned for the surety of the king's person, they had brought with them a

York and
his friends
take arms.

¹ Rymer, xi. 363.

² *Privy Council Proceedings*, vi. 234-8.

³ On the *Patent Roll*, 33. Hen. vi. p. 19 d., is a commission dated 5th May, for keeping watch on the coast of Kent against invasion.

⁴ *Rolls of Parl.* v. 280-1.

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company of armed followers expressly for his protection. If any real danger was to be apprehended they were come to do him service ; but if their own personal enemies were abusing their influence with the king to inspire him with causeless distrust, they were determined to remove unjust suspicions, and relied on their armed companies for protection to themselves. Meanwhile they requested the archbishop's intercession to explain to Henry the true motives of their conduct.¹

Next day they marched on to Ware, and there penned an address to the king himself, of which copies seem to have been diffused, either at the time or very shortly afterwards, in justification of their proceedings. One of these came to the hands of John Paston, and the reader may consequently peruse the memorial for himself in Volume III.² In it, as will be seen, York and his friends again made most urgent protest of their good intent, and complained grievously of the unfair proceedings of their enemies in excluding them from the royal presence and poisoning the king's mind with doubts of their allegiance. They declared that they had no other intent in seeking the king's presence than to prove themselves his true liegemen by doing him all the service in their power ; and they referred him further to a copy of their letter to the archbishop, which they thought it well to forward along with their memorial, as they had not been informed that he had shown its contents to the king.

In point of fact, neither the letter to the archbishop nor the memorial to the king himself was allowed to come to Henry's hands. The archbishop, indeed, had done his duty, and on receipt of the letter to himself had sent it on, with all haste, to Kilburn, where his messenger overtook the king on his way northwards from London. But the man was not admitted into the royal presence ; for the Duke of Somerset and his friends were determined the Yorkists should not be heard, that their advance might wear as much as possible the aspect of a rebellion. York and his allies accordingly marched on from Ware to St. Albans, where they arrived at an early hour on the morning of the 22nd. Meanwhile the king, who had left

¹ *Rolls of Parl.* v. 280-1.

² No. 282.

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London the day before, accompanied by the Dukes of Buckingham and Somerset, his half-brother, Jasper Tudor, Earl of Pembroke, the Earls of Northumberland, Devonshire, Stafford, Dorset, and Wiltshire, and a number of other lords, knights, and gentlemen, amounting in all to upwards of 2000, arrived at the very same place just before them, having rested at Watford the previous night. Anticipating the approach of the Duke of York, the king and his friends occupied the suburb of St. Peter's, which lay on that side of the town by which the duke must necessarily come. The duke accordingly, and the Earls of Salisbury and Warwick, drew up their forces in the Keyfield, outside the barriers of the town. From seven in the morning till near ten o'clock the two hosts remained facing each other without a blow being struck; during which time the duke and the two earls, still endeavouring to obtain a peaceful interview with the king, petitioned to have an answer to their memorial of the preceding day. They were told in reply that it had not been received by the king, on which they made new and more urgent representations. At first, it would seem, they demanded access to the royal presence to declare and justify their true intentions; but when this could not be obtained, they made a still more obnoxious request. They insisted that certain persons whom they would accuse of treason should be delivered into their hands, reminding the king, as respectfully as the fact could be alluded to, that past experience would not permit them to trust to a mere promise on his part that a traitor should be kept in confinement.¹

For the answer made to this demand, and for the details of the battle which ensued, we may as well refer the reader to the very curious paper (No. 283) from which we have already derived most of the above particulars. We are not here writing the history of the times, and it may be sufficient for us to say that York and his friends were completely victorious. The action lasted only half an hour. The Duke of Somerset was slain, and with him the Earl of Northumberland, Lords Clifford and Clinton, with about 400 persons of inferior rank,

Battle of
St. Albans.

¹ No. 283. *Rolls of Parl.* v. 281-2.

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as the numbers were at first reported. This, however, seems to have been an over-estimate.¹ The king himself was wounded by an arrow in the neck, and, after the engagement, was taken prisoner; while the Earl of Wiltshire, and the Duke of York's old enemy, Thorpe, fled disgracefully. When all was over, the duke with the two earls came humbly and knelt before the king, beseeching his forgiveness for what they had done in his presence, and requesting him to acknowledge them as his true liegemen, seeing that they had never intended to do him personal injury. To this Henry at once agreed, and took them once more into favour.²

Thus again was effected 'a change of ministry'—by sharper and more violent means than had formerly been employed, but certainly by the only means which had now become at all practicable. The government of Somerset was distinctly unconstitutional. The deliberate and systematic exclusion from the king's councils of a leading peer of the realm—of one who, by mere hereditary right, quite apart from natural capacity and fitness, was entitled at any time to give his advice to royalty, was a crime that could not be justified. For conduct very similar the two Spencers had been banished by Parliament in the days of Edward II.; and if it had been suffered now to remain unpunished, there would not have existed the smallest check upon arbitrary government and intolerable maladministration.

Such, we may be well assured, was the feeling of the city of London, which on the day following the battle received the victors in triumph with a general procession.³ The Duke of York conducted the king to the Bishop of London's palace, and a council being assembled, writs were sent out for a Parliament to meet on the 9th of July following.⁴ Meanwhile the duke was made Constable of England, and Lord Bouchier, Treasurer. The defence of Calais was committed to the Earl of Warwick.⁵ There was, however, no entire and sweeping

¹ John Crane, writing from Lambeth on Whitsunday, three days after the battle, says, 'at most six score.' No. 285. Another authority says, '60 persons of gentlemen and other.' *English Chronicle*, ed. Davies, p. 72.

² Nos. 283, 284, 285.

³ No. 284.

⁴ No. 283.

⁵ No. 285.

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change made in the officers of state. The Great Seal was allowed to continue in the hands of Archbishop Bourchier.

It remained, however, for Parliament to ratify what had been done. However justifiable in a moral point of view, the conduct of York and his allies wore an aspect of violence towards the sovereign, which made it necessary that its legality should be investigated by the highest court in the realm. Inquiry was made both in Parliament and by the king's Council which of the lords about the king had been responsible for provoking the collision. Angry and unpleasant feelings, as might be expected, burst out in consequence. The Earl of Warwick accused Lord Cromwell to the king, and when the latter attempted to vindicate himself, swore that what he stated was untrue. So greatly was Lord Cromwell intimidated, that the Earl of Shrewsbury, at his request, took up his lodging at St. James's, beside the Mews, for his protection. The retainers of York, Warwick, and Salisbury went about fully armed, and kept their lords' barges on the river amply furnished with weapons. Proclamations, however, were presently issued against bearing arms. The Parliament, at last, laid the whole blame of the encounter upon the deceased Duke of Somerset, and the courtiers Thorpe and Joseph; and by an Act which received the royal assent, it was declared that the Duke of York and his friends had acted the part of good and faithful subjects. 'To the which bill,' said Henry Windsor in a letter to his friends Bocking and Worcester, 'many a man grudged full sore now it is past'; but he requested them to burn a communication full of such uncomfortable matter to comment upon as the quarrels and heartburnings of lords.¹

But with whatever grudge it may have been that Parliament condoned the acts of the Yorkists, it seems not to have been without some degree of pressure that the duke and his allies obtained a Parliament so much after their own minds. Here, for instance, we have the Duchess of Norfolk writing to John Paston, just before the election, that it was thought necessary 'that my lord have at this time in the Parliament such persons as long unto him and be of his menial servants (!)'; on which

The Parliamentary elections.

¹ No. 299.

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account she requests his vote and influence in favour of John Howard and Sir Roger Chamberlain.¹ The application could scarcely have been agreeable to the person to whom it was addressed ; for it seems that John Paston himself had on this occasion some thought of coming forward as a candidate for Norfolk. Exception was taken to John Howard, one of the duke's nominees (who, about eight-and-twenty years later, was created Duke of Norfolk himself, and was the ancestor of the present ducal family), on the ground that he possessed no lands within the county ;² and at the nomination the names of Berney, Grey, and Paston were received with great favour.³ John Jenney thought it 'an evil precedent for the shire that a strange man should be chosen, and no worship to my lord of York nor to my lord of Norfolk to write for him ; for if the gentlemen of the shire will suffer such inconvenience, in good faith the shire shall not be called of such worship as it hath been.' So unpopular, in fact, was Howard's candidature that the Duke of Norfolk was half persuaded to give him up, declaring, that since his return was objected to he would write to the under-sheriff that the shire should have free election, provided they did not choose Sir Thomas Tuddenham or any of the old adherents of the Duke of Suffolk. And so, for a time it seemed as if free election would be allowed. The under-sheriff even ventured to write to John Paston that he meant to return his name and that of Master Grey ; 'nevertheless,' he added significantly, 'I have a master.' Howard appeared to be savage with disappointment. He was 'as wode' (*i.e.* mad), wrote John Jenney, 'as a wild bullock.' But in the end it appeared he had no need to be exasperated, for when the poll came to be taken, he and the other nominee of the Duke of Norfolk were found to have gained the day.⁴

Besides the act of indemnity for the Duke of York and his partisans, and a new oath of allegiance being sworn to by the Lords, little was done at this meeting of the Parliament. On the 31st July it was prorogued, to meet again upon the 12th November. But in the interval another complication had arisen. The king, who seems to have suffered in health from

¹ No. 288.

² Nos. 294, 295.

³ No. 291.

⁴ No. 295.

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the severe shock that he must have received by the battle of St. Albans,¹ had felt the necessity of retirement to recover his composure, and had withdrawn before the meeting of Parliament to Hertford; at which time the Duke of York, in order to be near him, took up his quarters at the Friars at Ware.² He was well, or at all events well enough to open Parliament in person on the 9th July; but shortly afterwards he retired to Hertford again, where according to the dates of his Privy Seals, I find that he remained during August and September. In the month of October following he was still there, and it was reported that he had fallen sick of his old infirmity;—which proved to be too true.³

The king
again ill.

Altogether matters looked gloomy enough. Change of ministry by force of arms, whatever might be said for it, was not a thing to win the confidence either of king or people. There were prophecies bruited about that another battle would take place before St. Andrew's Day—the greatest that had been since the battle of Shrewsbury in the days of Henry IV. One Dr. Green ventured to predict it in detail. The scene of the conflict was to be between the Bishop of Salisbury's Inn and Westminster Bars, and three bishops and four temporal lords were to be among the slain. The Londoners were spared this excitement; but from the country there came news of a party outrage committed by the eldest son of the Earl of Devonshire, on a dependant of the Lord Bonville, and the West of England seems to have been disturbed for some time afterwards.⁴ From a local ms. chronicle cited by Holinshed, it appears that a regular pitched battle took place between the two noblemen on Clist Heath, about two miles from Exeter, in which Lord Bonville having gained the victory, entered triumphantly into the city. A modern historian of Exeter, however, seems to have read the ms. differently, and tells us that Lord Bonville was driven into the city by defeat.⁵ However this may be, the Earl of Devonshire did not allow the matter to rest. Accom-

Disturb-
ances in
the West.

¹ See Rymer, xi. 366.

² No. 287.

³ No. 303.

⁴ No. 303. See also a brief account of the same affair in W. Worcester's *Itinerary*, p. 114.

⁵ Jenkins's *History of Exeter*, p. 78.

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panied by a large body of retainers—no less, it is stated, than 800 horse and 4000 foot—he attacked the Dean and Canons of Exeter, made several of the latter prisoners, and robbed the cathedral.¹

That one out of the number of those great lords who had been attached to the government of the queen and the Duke of Somerset should thus have abused his local influence, was pretty much what might have been expected at such a juncture. But the effect was only to strengthen the hands of York when Parliament met again in November. The situation was now once more what it had been in the beginning of the previous year. The day before Parliament met, the Duke of York obtained a commission to act as the king's lieutenant on its assembling.² The warrant for the issuing of this commission was signed by no less than thirty-nine Lords of the Council. The Houses then met under the presidency of the duke.³ The Commons sent a deputation to the Upper House, to petition the Lords that they would 'be good means to the King's Highness' for the appointment of some person to undertake the defence of the realm and the repressing of disorders. But for some days this request remained unanswered. The appeal was renewed by the Commons a second time, and again a third time, with an intimation that no other business would be attended to till it was answered. On the second occasion the Lords named the Duke of York Protector, but he desired that they would excuse him, and elect some other. The Lords, however, declined to alter their choice, and the duke at last agreed to accept the office, on certain specific conditions which experience had taught him to make still more definite for his own protection than those on which he had before insisted. Among other things it was now agreed that the Protectorship should not again be terminated by the mere fact of the king's recovery; but that when the king should be in a position to

York
again
Protector.

¹ *Rolls of Parl.* v. 285. It may be observed that the bishopric was at this time vacant, and the dean, whose name was John Hals, had received a papal provision to be the new bishop, but was forced to relinquish it in favour of George Nevill, son of the Earl of Salisbury, a young man of only three-and-twenty years of age. Godwin *de Præsulibus*. Le Neve's *Fasti*. Nicolas's *Privy Council Proceedings*, vi. 265.

² *Rolls of Parl.* v. 285.

³ *Privy Council Proceedings*, vi. 262.

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exercise his functions, the Protector should be discharged of his office in Parliament by the advice of the Lords Spiritual and Temporal.¹

On the 19th of November, accordingly, York was formally appointed Protector for the second time. Three days afterwards, at Westminster, the king, whose infirmity on this occasion could scarcely have amounted to absolute loss of his faculties, committed the entire government of the kingdom to his Council, merely desiring that they would inform him of anything they might think fit to determine touching the honour and surety of his person.² The business of the nation was again placed on something like a stable and satisfactory footing; and Parliament, after sitting till the 13th December, was prorogued to the 14th January, in order that the Duke of York might go down into the west for the repressing of those disorders of which we have already spoken.³

Unluckily, things did not remain long in a condition so hopeful for the restoration of order. Early in the following year the king recovered his health, and notwithstanding the support of which he had been assured in Parliament, York knew that his authority as Protector would be taken from him. On the 9th of February, as we learn from a letter of John Bocking, it had been anticipated that he would have received his discharge in Parliament; but he was allowed to retain office for a fortnight longer. On that day he and Warwick thought fit to come to the Parliament with a company of 300 armed men, alleging that they stood in danger of being waylaid upon the road. The pretence does not seem to have been generally credited; and the practical result of this demonstration was simply to prevent any other lords from going to the Parliament at all.⁴

The real question, however, which had to be considered was the kind of government that should prevail when York was no more Protector. The queen was again making anxious efforts to get the management of affairs into her own hands; but the battle of St. Albans had deprived her of her great ally the Duke of Somerset, and there was no one now to fill his

¹ *Rolls of Parl.* v. 285-7.

² *Ibid.* v. 288-90.

³ *Ibid.* 321.

⁴ No. 322.

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place. It is true he had left a son who was now Duke of Somerset in his stead, and quite as much attached to her interests. There were, moreover, the Duke of Buckingham and others who were by no means friendly to the Duke of York. But no man possessed anything like the degree of power, experience, and political ability to enable the king to dispense entirely with the services of his present Protector. The king himself, it was said, desired that he should be named his Chief Councillor and Lieutenant, and that powers should be conferred upon him by patent inferior only to those given him by the Parliament. But this was not thought a likely settlement, and no one really knew what was to be the new *régime*. The attention of the Lords was occupied with 'a great gleaming star' which had just made its appearance, and which really offered as much help to the solution of the enigma as any appearances purely mundane and political.¹

Again
discharged.

At length on the 25th of February the Lords exonerated York from his duties as Protector; soon after which, if not on the same day, Parliament must have been dissolved.² An Act of Resumption, rendered necessary by the state of the revenue, was the principal fruit of its deliberations.³ The finances of the kingdom were placed, if not in a sound, at least in a more hopeful condition than before; and Parliament and the Protector were both dismissed, without, apparently, the slightest provision being made for the future conduct of affairs. Government, in fact, seems almost to have fallen into abeyance. There is a most striking blank in the records of the Privy Council from the end of January 1456 to the end of November 1457. That some councils were held during this period we know from other evidences;⁴ but with the exception of one single occasion, when it was necessary to

¹ No. 322.

² *Rolls of Parl.* v. 321.

³ *Ibid.* 300. A more sweeping bill for this purpose, which was rejected by the Lords, states that the revenue was so encumbered 'that the charge of every sheriff in substance exceedeth so far the receipt of the revenues thereof due and leviabie to you (*i.e.* the king), that no person of goodwill dare take upon him to be sheriff in any shire, for the most party, in this land.' *Ibid.* 328. Additional illustrations of this fact will be found in Nicolas's *Privy Council Proceedings*, vi. 263-4, 272-3, and Preface lxxv-vi.

⁴ Nos. 334, 345, 348.

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issue a commission for the trial of insurgents in Kent,¹ there is not a single record left to tell us what was done at them.

Yet the machine of state still moved, no one could tell exactly how. Acts were done in the king's name if not really and truly by the king, and by the sheer necessity of the case York appears to have had the ordering of all things. But his authority hung by a thread. His acts were without the slightest legal validity except in so far as they might be considered as having the sanction of the king; and in whatever way that sanction may or may not have been expressed, there was no security that it would not afterwards be withdrawn and disavowed.

And so indeed it happened at this time in a matter that concerned deeply the honour of the whole country. The outbreak of civil war had provoked the interference of an enemy of whom Englishmen were always peculiarly intolerant. The Duke of Somerset slain at St. Albans was uncle to James II., the reigning king of Scotland, who is said to have resented his death on the ground of consanguinity. In less than six weeks after the battle, 'the King of Scots with the red face,' as he is called in a contemporary chronicle, laid siege to Berwick both by water and land. But the Bishop of Durham, the Earl of Northumberland, and other Lords of the Marches, took prompt measures for the relief of the town, and soon assembled such a force as to compel James not only to quit the siege but to leave all his ordnance and victuals behind him.² How matters stood between the two countries during the next ten months we have no precise information; but it is clear that England, although the injured party, could not have been anxious to turn the occasion into one of open rupture. Peace still continued to be preserved till, on the 10th of May 1456, James wrote to the King of England by Lyon herald, declaring that the truce of 1453 was injurious to his kingdom, and that unless more favourable conditions were conceded to him he would have recourse to arms.³ A message more

The King
of Scots.

¹ *Privy Council Proceedings*, vi. 287.

² *Three Fifteenth Century Chronicles*, 70 (edited by me for the Camden Society): *Privy Council Proceedings*, vi. 248-9.

³ Lambeth Ms. 211, f. 146 b.

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calculated to fire the spirit of the English nation it would have been impossible for James to write ; nevertheless, owing either to Henry's love of peace, or to his lack of advisers after his own mind, it was not till the 26th of July that any answer was returned to it. On that day the Duke of York obtained, or took, the liberty of replying in Henry's name. To the insolence of the King of Scots, he opposed all the haughtiness that might have been expected from the most warlike of Henry's ancestors. Insisting to the fullest extent on those claims of feudal superiority which England never had abandoned and Scotland never had acknowledged, he told James that his conduct was mere insolence and treason in a vassal against his lord ; that it inspired not the slightest dread but only contempt on the part of England ; and that measures would be speedily taken to punish his presumption.¹

A month later the Duke of York addressed a letter to James in his own name, declaring that as he understood the Scotch king had entered England, he purposed to go and meet him. He at the same time reproached James with conduct unworthy of one who was 'called a mighty Prince and a courageous knight,' in making daily forays and suddenly retiring again.² The end of this expedition we do not know ; but we know that not long afterwards Henry changed his policy. The letter written by the Duke of York in the king's name was regularly enrolled on the Scotch Roll among the records of Chancery ; but to it was prefixed a note on the king's behalf, disclaiming responsibility for its tenor, and attributing to the duke the usurpation of authority, and the disturbance of all government since the time of Jack Cade's insurrection.³

The glimpses of light which we have on the political situation during this period are far from satisfactory. Repeated notice, however, is taken in these letters of a fact which seems significant of general distrust and mutual suspicion among the leading persons in the land. The king, queen, and lords were all separated and kept carefully at a distance from each other.

¹ Lambeth MS. 211, f. 147. Rymer, xi. 383.

² Lambeth MS. 211, f. 148. This letter is dated 24th August 1456.

³ Rymer, xi. 383.

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Thus, while the king was at Sheen, the queen and her infant prince were staying at Tutbury, the Duke of York at Sandal, and the Earl of Warwick at Warwick.¹ Afterwards we find the queen removed to Chester, while the Duke of Buckingham was at Writtle, near Chelmsford in Essex. The only lord with the king at Sheen was his half-brother the Earl of Pembroke. His other brother, the Earl of Richmond, who died in the course of this year, was in Wales making war upon some chieftain of the country whose name seems rather ambiguous. 'My Lord [of] York,' it is said, 'is at Sendall still, and waiteth on the queen, and she on him.'² The state of matters was evidently such that it was apprehended serious outrages might break out; and reports were even spread abroad of a battle in which Lord Beaumont had been slain and the Earl of Warwick severely wounded.'³

The separation of the king and queen is especially remarkable. During May and June they were more than a hundred miles apart; and in the latter month the queen had increased the distance by removing from Tutbury in Staffordshire to Chester. It was then that she was said to be waiting on my Lord of York and he on her. The exact interpretation of the position must be partly matter of conjecture, but I take it to be as follows. The Duke of York, as we find stated only a few months later, was in very good favour with the king but not with the queen;⁴ and we know from Fabyan that the latter was at this time doing all she could to put an end to his authority. It appears to me that by her influence the duke must have been ordered to withdraw from the Court, and that to prevent his again seeking access to the king's presence, she pursued him into the north. At Tutbury⁵ she would block his way from Sandal up to London; and though for some reason or other she removed further off to Chester, she still kept an anxious watch upon the duke, and he did the same on her. Very probably her removal did give him the opportunity she dreaded of moving southwards; for he must have been

¹ Nos. 330, 331.

² No. 334.

³ No. 331.

⁴ No. 348.

⁵ Tutbury was one of the possessions given to her for her dower. *Rolls of Parl.* vi. 118.

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with the king at Windsor on the 26th of July when he wrote in Henry's name that answer to the King of Scots of which we have already spoken.

However this may be, Margaret soon after had recourse to other means to effect her object. In consequence of the Duke of York's popularity in London, it was expedient to remove the king some distance from the capital.¹ He appears to have been staying at Windsor during July and the beginning of August. In the middle of the latter month he took his departure northwards. By the dates of his Privy Seals we find him to have been at Wycombe on the 18th, at Kenilworth on the 24th, and at Lichfield on the 29th. In September he moved about between Lichfield, Coventry, and Leicester; but by the beginning of October the Court seems to have settled itself at Coventry, where a council was assembled on the 7th.² To this council the Duke of York and his friends were regularly summoned, as well as the lords whom the queen intended to honour; but even before it met, changes had begun to be made in the principal officers of state. On the 5th, Viscount Bourchier, the brother of the Archbishop of Canterbury, was dismissed from his office of Lord Treasurer, and the Earl of Shrewsbury was appointed in his room. On the 11th, the archbishop himself was called upon to surrender the Great Seal, and Waynflete, Bishop of Winchester, was made Chancellor in his stead. Laurence Booth, afterwards Bishop of Durham, was made Lord Privy Seal.

The new appointments seem to have been on their own merits unexceptionable,—that of Waynflete more especially. Whether the superiority of the new men was such as to make it advisable to supersede the old is another question, on which we would not attempt to pronounce an opinion, either one way or other. One thing, however, we may believe on the evidence of James Gresham, whose letters frequently give us very interesting political intelligence: the changes created dissatisfaction in some of the queen's own friends, particularly in the Duke of Buckingham, who was half-brother to two of the discharged functionaries, the Archbishop of Canterbury and

¹ Fabyan.

² No. 345.

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Viscount Bouchier. Either from this cause or from a mere English love of fair-play, it would appear that Buckingham now supported the Duke of York, who, it is said, though at this time he had some interviews with the king and found Henry still as friendly as he could desire, would certainly have been troubled at his departure if Buckingham had not befriended him. About the Court there was a general atmosphere of suspicion and distrust. On the 11th October, the very day on which Waynflete was appointed Chancellor, an encounter took place between the Duke of Somerset's men and the watchmen of the city of Coventry, in which two or three of the citizens were killed. And probably it would have gone hard with the duke's retainers, had not Buckingham used his good offices here too as peacemaker; for the alarm-bell rang and the citizens rose in arms. But by the interposition of Buckingham the tumult was appeased.¹

For about a twelvemonth from this time we find that the Court continued generally at Coventry,² occasionally moving about to Stafford, Coleshill, Chester, Shrewsbury, Kenilworth, Hereford, and Leicester.³ The queen evidently feared all the while to bring her husband nearer London, lest he should fall once more under the power of the Duke of York. Meanwhile the want of a vigorous ruler became every day more apparent. Not only was Calais again in danger of siege,⁴ but the coast of Kent was attacked by enemies, and within the kingdom a dangerous spirit of disaffection had shown itself in various places. On the Patent Rolls we meet with numerous commissions for keeping watch upon the coasts,⁵ for arraying the country against invasion,⁶ and for assembling the *posse comitatus* in various counties, against treasonable attempts to stir up the people.⁷ During April the Court had removed to

¹ No. 348.

² Accounts of the pageants shown before Queen Margaret at Coventry are noticed as contained in the earliest Leet Book of the City. See *Historical MSS. Commission Report I.*, 100.

³ Privy Seals in Public Record Office.

⁴ No. 356.

⁵ *Patent Roll*, 35 Hen. VI. p. 1 m. 16 d. (26 Nov.); m. 7 d. (19 May).

⁶ *Ibid.* p. 2 m. 5 d. (29 Aug.).

⁷ *Ibid.* (18 July).

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Hereford,¹ apparently in consequence of some disturbances which had taken place in Wales under Sir William Herbert. Its sojourn upon the Welsh borders had an excellent effect, the burgesses and gentlemen about Hereford all declaring themselves ready to take the king's part unless a peace were made. On the 1st of May it was reported in London that Herbert had offered, on being granted his life and goods, to return to his allegiance and appear before the king and lords at Leicester; so we may conclude the insurrection did not last long after.²

The
French
attack
Sandwich.

But though the personal influence of the king was doubtless great and beneficial within his own immediate vicinity, it could do little for the good order and protection of the country generally. Distrust, exclusiveness, and a bankrupt exchequer were not likely to obtain for the king willing and hearty service. Notwithstanding the commissions issued to keep watch upon the coasts, the French managed to surprise and plunder Sandwich. On Sunday, the 28th August, a large force under the command of Pierre de Brézé, seneschal of Normandy, landed not far from the town, which they took and kept possession of during the entire day. A number of the inhabitants, on the first alarm, retreated on board some ships lying in the harbour, from whence they began presently to shoot at the enemy. But de Brézé having warned them that if they continued he would burn their ships, they found it prudent to leave off. Having killed the bailiffs and principal officers, the Frenchmen carried off a number of wealthy persons as prisoners, and returned to their ships in the evening, laden with valuable spoils from the town and neighbourhood.³

The disaster must have been keenly felt; but if Englishmen had known the whole truth, it would have been felt more keenly still. Our own old historians were not aware of the

¹ No. 356. There are Privy Seals dated at Hereford between the 1st and the 23rd of April.

² No. 356. By the 4th of May the king had left Hereford and gone to Worcester, from which he proceeded to Winchcombe on the 10th and Kenilworth on the 13th. (Privy Seal dates.)

³ *English Chronicle* (Davies), 74. *Three Fifteenth Century Chronicles*, 70, 71, 152-3. *Contin. of Monstrelet*, 70, 71.

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fact, but an early French chronicler who lived at the time assures us that the attack had been purposely invited by Margaret of Anjou out of hatred to the Duke of York, in order to make a diversion, while the Scots should ravage England!¹ It was well for her that the truth was not suspected.

Reconciliation and Civil War

At length, it would seem, the Court found it no longer possible to remain at a distance from the metropolis. In October the king had removed to Chertsey,² and soon after we find him presiding at a Great Council, which had been summoned to meet in his palace at Westminster in consequence of the urgent state of affairs. Though attended not only by the Duke of York, but by a large number of the principal lords on both sides, the meeting does not appear to have led to any very satisfactory results. All that we know of its proceedings is that some of them, at least, were of a stormy character,—one point on which all parties were agreed being the exclusion from the council chamber of Pecock, Bishop of Chichester, an ardent and honest-minded prelate, who, having laboured hard to reconcile the Lollards to the authority of the Church by arguments of common sense instead of persecution, was at this time stigmatised as a heretic and sedition-monger, and very soon after was deprived of his bishopric. It augured little good for that union of parties which was now felt to be necessary for the public weal, that the first act on which men generally could be got to agree was the persecution of sense and reason. There were other matters before the council on which they were unable to come to a conclusion, and they broke up on the 29th November, with a resolution to meet again on the 27th January; for which meeting summonses were at once sent out, notifying that on that day not one of the lords would be excused attendance.³

It was, indeed, particularly important that this meeting

¹ De Coussy, 209.

² Privy Seal dates.

³ *Privy Council Proceedings*, vi. 290-1.

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should be a full one, and that every lord should be compelled to take his share of the responsibility for its decisions. The principal aim was expressly stated to be a general reconciliation and adjustment of private controversies¹—an object to which it was impossible to offer direct opposition. But whether it was really distasteful to a number of the peers, or obstacles started up in individual cases, there were certainly several who had not arrived in town by the day appointed for the meeting. The Earl of Salisbury's excuse, dated at Sheriff Hutton on the 24th of January,² does not refer to this, for it appears certainly to be of a different year. Fabyan says that he had already arrived in London on the 15th January. He made his appearance there at the head of 400 horse, with eighty knights and squires in his company. The Duke of York also came, though he arrived only on the 26th, 'with his own household only, to the number of 140 horse.' But the Duke of Somerset only arrived on the last day of the month with 200 horse; the Duke of Exeter delayed his coming till the first week of February; and the Earl of Warwick, who had to come from Calais, was detained by contrary winds. Thus, although the king had come up to Westminster by the time prefixed, a full Council could not be had for at least some days after; and even on the 14th of February there was one absentee, the Earl of Arundel, who had to be written to by letters of Privy Seal.³

A Great
Council in
London.

But by the 14th Warwick had arrived in London with a body of 600 men, 'all apparelled in red jackets, with white ragged staves.'⁴ The town was now full of the retinues of the different noblemen, and the mayor and sheriffs trembled for the peace of the city. A very special watch was instituted. 'The mayor,' says Fabyan, 'for so long as the king and the lords lay thus in the city, had daily in harness 5000 citizens, and rode daily about the city and suburbs of the same, to see that the king's peace were kept; and nightly he provided for 3000 men in harness to give attendance upon

¹ *Privy Council Proceedings*, vi. 293.

² No. 361.

³ No. 364. *Privy Council Proceedings*, vi. 293.

⁴ *Chronicle* in Ms. Cott., Vitell. A. xvi.

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three aldermen, and they to keep the night-watch till 7 of the clock upon the morrow, till the day-watch were assembled.' If peace was to be the result of all this concourse, the settlement evidently could not bear to be protracted. The Duke of York and the Earls of Salisbury and Warwick had taken up their quarters within the city itself; but the young lords whose fathers had been slain at St. Albans—the Duke of Somerset, the Earl of Northumberland and his brother, Lord Egremont, and the Lord Clifford—were believed to be bent upon revenge, and the civic authorities refused them entrance within their bounds.¹ Thus the lords within the town and those without belonged to the two opposite parties respectively; and in consequence of their mutual jealousies, conferences had to be arranged between them in the morning at the Black Friars, and in the afternoon at the White Friars, in Fleet Street.² The king, for his part, having opened the proceedings with some very earnest exhortations addressed to both parties, withdrew himself and retired to Berkhamstead.³ The Duke of Somerset and others went to and fro to consult with him during the deliberations. Meanwhile the necessity of some practical arrangement for government must have been felt more urgent every day. Sixty sail of Frenchmen were seen off the coast of Sussex; and though Lord Falconbridge was at Southampton in command of some vessels (probably on his own responsibility), there was a general feeling of insecurity among the merchants and among dwellers by the sea-coast. Botoner had heard privately from Calais that the French meditated a descent upon Norfolk at Cromer and Blakeney.⁴ And the news shortly afterwards received from the district showed that his information was not far wrong.⁵

At last it was agreed on both sides that old animosities should be laid aside, and that some reparation should be made by the Yorkists to the sons and widows of the lords who had fallen on the king's side at St. Albans. The exact amount of this reparation was left to the award of Henry, who decided that it should consist of an endowment of £45 a year to the

¹ *English Chronicle* (ed. Davies), p. 77. Hall.

³ Whethamstede, 417-18. Letter 365.

² Letter 366.

⁶ Letter 366.

⁴ Letter 365.

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Monastery of St. Albans, to be employed in masses for the slain, and of certain money payments, or assignments out of moneys due to them by the Crown, to be made by York, Warwick, and Salisbury, to Eleanor, Duchess Dowager of Somerset and to her son, Duke Henry, to Lord Clifford, and others, in lieu of all claims and actions which the latter parties might have against the former.¹ With what cordiality this arrangement was accepted on either side we do not presume to say. Historians universally speak of it as a hollow concord, unreal from the first. But it at least preserved the kingdom in something like peace for about a twelvemonth. It was celebrated by a great procession to St. Paul's on Lady Day, which must have been an imposing spectacle. The king marched in royal habit with the crown upon his head, York and the queen followed, arm in arm, and the principal rivals led the way, walking hand in hand.²

A sea-fight. The keeping of the sea was now intrusted to the Earl of Warwick, and it was not long before he distinguished himself by an action which probably relieved the English coasts for some time from any immediate danger of being attacked by the enemy. On the morning of Trinity Sunday word was brought to him at Calais of a fleet of 28 Spaniards, of which 16 were described as 'great ships of forecastle.' Immediately he manned such vessels as he had in readiness, and went out to seek the enemy. The force at his command was only five ships of forecastle, three carvels, and four pinnaces; but with these he did not hesitate to come to an engagement. At four o'clock on Monday morning the battle began; and it continued till ten, when the English obtained a hard-won victory. 'As men say,' wrote one of the combatants, 'there was not so great a battle upon the sea this forty winter; and forsooth, we were well and truly beat.' Nevertheless, six of the enemy's ships were taken, and the rest were put to flight, not without very considerable slaughter on either side.³

¹ Whethamstede, 422 sq. *Engl. Chron.* (Davies), 77, 78.

² Hall.

³ Letter 369. Compare Fabian. Whethamstede, who writes with some confusion in this part of his narrative, speaks of a great naval victory won by Warwick on St. Alban's Day, the 22nd June 1459, over a fleet of Genoese and Spanish vessels, in which booty was taken to the value of £10,000, and upwards of a thousand

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In the year following, the fire that had for some time A.D. 1459. smouldered, burst once more into a flame. About Candlemas, according to Fabyan—but an older authority says specifically on the 9th November preceding¹—a fray occurred between one of the king's servants and one of the Earl of Warwick's, as the earl, who had been attending the Council at Westminster, was proceeding to his barge. The king's servant being wounded, the other made his escape; but a host of retainers attached to the royal household rushed out upon the earl and his attendants, and wounded several of them before they could embark. With hard rowing they got beyond the power of their assailants and made their way into the city; but the queen and her friends insisted on imputing the outrage to the earl himself, and demanded his arrest. The earl found it politic to retire to Warwick, and afterwards to his former post at Calais. On this the queen and her council turned their machinations against his father, the Earl of Salisbury, whom Lord Audley was commissioned to arrest and bring prisoner to London. Audley accordingly took with him a large body of men, and hearing that the earl was on his way from Middleham in Yorkshire, journeying either towards Salisbury or London, he hastened to intercept him. The earl, Civil war renewed. however, had received notice of what was intended, and having gathered about him a sufficient band of followers, defeated Lord Audley in a regular pitched battle at Bloreheath in Staffordshire, where he attempted to stop his way, on Sunday the 23rd of September.²

The old elements of confusion were now again let loose. Commissions to raise men were issued in the king's name, and the Duke of York and all his friends were denounced as

prisoners, for whom it was difficult to find room in all the prisons of Calais. It is not impossible that this may have been a different action, which took place on the very day, month, and year to which Whethamstede refers it; but the silence of other authorities about a second naval victory would lead us to suppose he is simply wrong in the matter of date. It must be observed that Whethamstede immediately goes on to speak of the Legate Coppini's arrival in England, which took place in June 1460, as having happened *circa idem tempus*, and as if it had been in the same month of June, only a few days earlier. This shows great inaccuracy.

¹ *Engl. Chron.* (Davies), 78.

² Fabyan, *Engl. Chron.* (Davies), 80. *Parl. Rolls*, v. 348.

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The king
takes the
field.

a confederacy of traitors. They, for their parts, gathered together the men of the Marches in self-defence. At Ludlow, the duke was joined by the Earl of Salisbury, and also by the Earl of Warwick, who had come over again from Calais. On the other hand, the king himself entered into the strife in a way he had not done hitherto. He not only took the field in person against the rebellious lords, but exhibited a spirit in the endurance of fatigue and discomfort which seems to have commanded general admiration. Even at the time of Lord Audley's overthrow, it would appear that he was leading forward a reserve. For about a month he kept continually camping out, never resting at night, except on Sundays, in the same place he had occupied the night before, and sometimes, in spite of cold, rough weather, bivouacking for two nights successively on the bare field. After the battle of Bloreheath, he could only regard Salisbury as an overt enemy of his crown. At the same time he despatched heralds to the Duke of York and the Earl of Warwick, with proclamations of free and perfect pardon to themselves and all but a few of the leaders at Bloreheath, on condition of their submitting to him within six days.¹

To Garter King of Arms, one of the messengers by whom these offers were conveyed, the confederate lords made answer, and also delivered a written reply to be conveyed to the king, declaring the perfect loyalty of their intentions, which they would have been glad to prove in the king's presence if it had been only possible for them to go to him with safety. They had already endeavoured to testify their unshaken fidelity to Henry by an indenture drawn up and signed by them in Worcester Cathedral. This instrument they had forwarded to the king by a deputation of churchmen, headed by the prior of that cathedral, and including among others Dr. William Lynwoode,² who administered to them the sacrament on the occasion. Again, after Garter left, they wrote from

¹ *Rolls of Parl.* vi. 348.

² Not, as Stow supposes, the author of the book on the Constitutions of the Church of England, but probably a nephew or other relation of his. The William Lynwoode who wrote upon the Church Constitutions was Bishop of St. David's, and died in 1446.

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Ludlow on the 10th of October, protesting that their actions had been misconstrued, and their tenants subjected to wrong and violence, while they themselves lay under unjust suspicion. Their enemies, they said, thirsted for the possession of their lands, and hoped to obtain them by their influence with the king. For their own part they had hitherto avoided a conflict, not from any fear of the power of their enemies, but only for dread of God and of his Highness, and they meant to persevere in this peaceful course, until driven by necessity to self-defence.¹

These earnest, solemn, and repeated expressions of loyalty have scarcely, I think, received from historians the attention to which they are entitled.² Of their sincerity, of course, men may form different opinions; but it is right to note that the confederate lords had done all that was in their power by three several and distinct protests to induce the king to think more favourably of their intentions. It is, moreover, to be observed that they remained at this time in an attitude strictly defensive. But the king and his forces still approaching, they drew themselves up in battle array at Ludford, in the immediate vicinity of the town of Ludlow. Here, as they were posted on Friday the 12th October, it would almost seem that the lords were not without apprehension of the defection of some of their followers. A report was spread through the camp that the king was suddenly deceased, witnesses were brought in who swore to the fact, and mass was said for the repose of his soul. But that very evening, Henry, at the head of his army, arrived within half a mile of their position. The state of the country, flooded by recent rains, had alone prevented him from coming upon them sooner. Before nightfall a few volleys of artillery were discharged against the royal army, and a regular engagement was expected next day. But, meanwhile, the royal proclamation of pardon seems to have had its effect. One Andrew Trollope, who had come over with the Earl of Warwick from

¹ *Engl. Chron.* (Davies), 81, 82.

² The Act of Attainder against the Yorkists most untruly says, 'they took no consideration' of Garter's message. See *Rolls of Parliament* above cited.

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The
Yorkists
disperse.

Calais, withdrew at dead of night and carried over a considerable body of men to the service of the king, to whom he communicated the secrets of the camp. The blow was absolutely fatal. The lords at once abandoned all thought of further resistance. Leaving their banners in the field, they withdrew at midnight. York and his second son, Edmund, Earl of Rutland, fled into Wales, from whence they sailed into Ireland. His eldest, Edward, Earl of March, accompanied by the two other earls, Warwick and Salisbury, and by Sir John Wenlock, made his way into Devonshire. There by the friendly aid of one John Dynham, afterwards Lord Dynham, and Lord High Treasurer to Henry VII., they bought a ship at Exmouth and sailed to Guernsey. At last, on Friday the 2nd of November, they landed at Calais, where they met with a most cordial reception from the inhabitants.

They are
attainted.

Then followed in November the Parliament of Coventry, and the attainder of the Duke of York and all his party. The queen and her friends at last had it all their own way, at least in England. It was otherwise doubtless in Ireland, where the Duke of York remained for nearly a twelvemonth after his flight from Ludlow. It was otherwise too at Calais, where Warwick was all-powerful, and whither discontented Yorkists began to flock from England. It was otherwise, moreover, at sea, where the same Warwick still retained the command of the fleet, and could not be dispossessed, except on parchment. On parchment, however, he was presently superseded in both of his important offices. The Duke of Exeter was intrusted with the keeping of the sea, which even at the time of the great reconciliation of parties he had been displeased that Warwick was allowed to retain.² The young Duke of Somerset was appointed Captain of Calais, but was unable to take possession of his post. Accompanied by Lord Roos and Lord Audley, and fortified by the king's letters-patent, he crossed the sea, but was refused admittance into the town. Apparently he had put off too long before going

¹ *Rolls of Parl.* vi. 348-9. Whethamstede, 459-62; Fabyan.

² W. Worc., 479.

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over,¹ and he found the three earls in possession of the place before him; so that he was obliged to land at a place called Scales' Cliff and go to Guisnes.² But a worse humiliation still awaited him on landing; for of the very sailors that had brought him over, a number conveyed their ships into Calais harbour, offered their services to the Earl of Warwick, and placed in his hands as prisoners certain persons who had taken part against him. They were shortly after beheaded in Calais.³

It would seem, in short, that ever since his great naval victory in 1458, Warwick was so highly popular with all the sailors of England, that it was quite as hopeless for the Duke of Exeter to contest his supremacy at sea as for Somerset to think of winning Calais out of his hands. Friends still came flocking over from England to join the three earls at Calais; and though in London in the February following nine men were hanged, drawn, and beheaded for attempting to do so,⁴ the cause of the Yorkists remained as popular as ever. In vain were letters written to foreign parts, 'that no relief be ministered to the traitor who kept Calais.'⁵ In vain the Duke of Somerset at Guisnes endeavoured to contest his right to the government of that important town. All that Somerset could do was to waste his strength in fruitless skirmishes, until on St. George's Day he suffered such a severe defeat and loss of men at Newnham Bridge, that he was at length forced to abandon all idea of dispossessing the Earl of Warwick.⁶ A.D. 1460.

Not only were the three earls secure in their position at Calais, but there was every reason to believe that they had a large amount of sympathy in Kent, and would meet with a very cordial reception whenever they crossed the sea. To

¹ He received his appointment on the 9th October, three days before the dispersion of the Yorkists at Ludlow (Rymer, xi. 436), and, according to one authority (*Engl. Chron.*, ed. Davies, 84), he went over in the same month; but as all agree that Warwick was there before him, it was more probably in the beginning of November.

² *Chronicle* in *Ms. Cott., Vitell. A. xvi.*

³ Fabyan.

⁴ *W. Worc.*, 478; *Three Fifteenth Century Chronicles*, 73. One of them was named Roger Nevile, a lawyer of the Temple, and probably a relation of the Earl of Warwick.

⁵ Speed.

⁶ *W. Worc.*

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Lord
Rivers
at Sand-
wich.

avert the danger of any such attempt, and also, it would appear, with some design of reinforcing the Duke of Somerset at Guisnes, Lord Rivers and his son Sir Anthony Wydevile were sent to Sandwich about the beginning of the year, with a body of 400 men. Besides the command of the town, they were commissioned to take possession of certain ships which belonged to the Earl of Warwick, and lay quietly at anchor in the harbour.¹ But the issue of their exploit was such as to provoke universal ridicule. 'As to tidings here,' wrote Botoner from London to John Berney at Caister, 'I send some offhand, written to you and others, how the Lord Rivers, Sir Anthony his son, and others *have won Calais* by a feeble assault at Sandwich made by John Denham, Esq., with the number of 800 men, on Tuesday between four and five o'clock in the morning.'²

The exact mode in which Rivers and his son 'won Calais' seems to have been described in a separate paper. The truth was that a small force under the command of John Denham (or Dynham) was despatched across the sea by Warwick, and landing at Sandwich during the night, contrived not only to seize the ships in the harbour, but even to surprise the earl and his son in their beds, and bring them over as prisoners to the other side of the Channel.³ The victors did not fail to turn the incident to account by exhibiting as much contempt as possible for their unfortunate prisoners. 'My Lord Rivers,' writes William Paston, 'was brought to Calais, and before the lords with eight score torches, and there my lord of Salisbury rated him, calling him knave's son, that he should be so rude to call him and those other lords traitors; for they should be found the king's true liegemen when he should be found a traitor. And my Lord of Warwick rated him and said that his father was but a squire, and brought up with King Henry v., and since made himself by marriage, and also made a lord; and that it was not his part to have such language of lords, being of the king's blood. And my Lord of March rated him in like wise. And Sir Anthony was rated for his

¹ *Engl. Chron.* (Davies), 84, 85; *Three Fifteenth Century Chronicles*, 72.

² Letter 399.

³ W. Worc. *Engl. Chron.* (Davies), 85.

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language of all the three lords in like wise.' ¹ It must have been a curious reflection to the Earl of March when in after years, as King Edward iv., he married the daughter of this same Lord Rivers, that he had taken part in this vituperation of his future father-in-law !

By and by it became sufficiently evident that unless he was considerably reinforced, the Duke of Somerset could do no good at Guisnes. Instead of attempting to maintain a footing beside Calais, the queen's Government would have enough to do to keep the rebels out of England. The capture of Rivers had excited the most serious alarm, and the landing of Warwick himself upon the eastern coast was looked upon as not improbable. ² A new force of 500 men was accordingly sent to Sandwich under the command of one Osbert Mountford or Mundeford, ³ an old officer of Calais. His instructions were to go from Sandwich to Guisnes, either in aid of the Duke of Somerset, as intimated in Worcester's *Annals*, or, according to another contemporary authority, ⁴ to bring him over to England. But while he waited for a wind to sail, John Dynham again crossed the sea, attacked the force under the command of Mundeford, and after a little skirmishing, in which he himself was wounded, succeeded in carrying him off to Calais, as he had before done Lord Rivers. Mundeford's treatment, however, was not so lenient as that of the more noble captive. On the 25th of June he was beheaded at the Tower of Rysebank, which stood near the town, on the opposite side of the harbour. ⁵

Meanwhile the Earl of Warwick did not remain at Calais. He scoured the seas with his fleet and sailed into Ireland. Sir Baldwin Fulford, a knight of Devonshire, promised the king, on pain of losing his head, to destroy Warwick's fleet ;

¹ Letter 400.

² See Appendix to Introduction.

³ The writer of Letter 378. He was a connection of the Paston family, having married Elizabeth, daughter of John Berney, Esq., another of whose daughters, Margaret, was the mother of Margaret Paston (Blomefield, ii. 182). He had been much engaged in the king's service in France, and had been treasurer of Normandy before it was lost—a fact which may account for his writing French in preference to English. See Stevenson's *Wars of the English in France*, index.

⁴ *Engl. Chron.* (Davies), 85.

⁵ W. Worc., 479 ; Fabyan ; Stow, 406-7.

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but having exhausted the sum of 1000 marks which was allowed him for his expenses, he returned home without having attained his object.¹ On the 16th of March, Warwick having met with the Duke of York in Ireland, the two noblemen entered the harbour of Waterford with a fleet of six-and-twenty ships well manned; and on the following day, being St. Patrick's Day, they landed and were ceremoniously received by the mayor and burgesses.² Warwick seems to have remained in Ireland more than two months, concerting with the Duke of York plans for future action. About Whitsunday, which in this year fell on the 1st of June, his fleet was observed by the Duke of Exeter off the coast of Cornwall, on its return to Calais. Exeter's squadron was superior in strength, and an engagement might have been expected; but the duke was not sure that he could trust his own sailors, and he allowed the earl to pass unmolested.

The
Legate
Coppini.

About this time there arrived at Calais a papal nuncio, by name Francesco Coppini, Bishop of Terni, returning from England to Rome. He had been sent by the new pope, Pius II., the ablest that had for a long time filled the pontifical chair, to urge Henry to send an ambassador to a congress at Mantua, in which measures were to be concerted for the union and defence of Christendom against the Turks. This was in the beginning of the preceding year,⁴ and, as he himself states, he remained nearly a year and a half in England.⁵ But the incapacity of the king, and the dissensions that prevailed among the lords, rendered his mission a total failure. Henry, indeed, who was never wanting in reverence for the Holy See, named a certain number of bishops and lords to go upon this mission, but they one and all refused. He accordingly sent two priests of little name, with an informal commission to excuse a greater embassy. England was thus discredited at the papal court, and the nuncio, finding his mission fruitless, at last crossed the sea to return home. At Calais, however,

¹ *English Chron.* (Davies), 85.

² Lambeth Ms. 612, f. 255.

³ *Chron.* (Davies), 85; W. Worc.

⁴ His commission from the Pope is dated 7th January 1458[9] —Rymer, xi. 419.

⁵ Brown's *Venetian Calendar*, i. p. 91.

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he was persuaded by Warwick to remain. The earl himself was about to return to England, and if the legate would come back in his company he might use the influence of his sacred office to heal the wounds of a divided kingdom.¹

The nuncio had doubtless seen enough of the deplorable condition of England to be convinced that peace was impossible, so long as the lords most fit to govern were banished and proclaimed rebels by the queen and her favourites.² He was, moreover, furnished with powers, by which—the main object of his mission being the union of Christendom—he was authorised to make some efforts to compose the dissensions of England.³ But he certainly overstrained them, and allowed himself to become a partisan. Flattered by the attentions shown him by Warwick, he acceded to his suggestion, and when, on the 26th of June,⁴ the day after Mundeford was beheaded at Calais, the confederate lords crossed the Channel, the nuncio was in their company, bearing the standard of the Church. Archbishop Bourchier, too, met them at Sandwich, where they landed, with a great multitude of people; and with his cross borne before him, the Primate of England conducted the three earls and their followers, who increased in number as they went along, until they reached the capital. After a very brief opposition on the part of some of the citizens, the city opened its gates to them. They entered London on the 2nd of July.⁵

Before they crossed the sea, the three earls had sent over a set of articles addressed to the archbishop and the commons of England in the name of themselves and the Duke of York, declaring how they had sued in vain to be admitted to the

The Earls
of March,
Warwick,
and
Salisbury.

¹ Gobellinus, 161.

² The Yorkists apparently were not sparing of insinuations against the queen. It had been rumoured, according to Fabyan, that the Prince of Wales was not really the king's son; but the worst that was insinuated was that he was a changeling. But Warwick himself, according to Gobellinus, described the situation to the nuncio as follows:—'Rex noster stupidus est, et mente captus; regitur, non regit; apud uxorem et qui regis thalamum foedant, imperium est.'

³ See the Pope's letter to him in Theiner, 423-4.

⁴ 'The lords crossed the sea on Thursday,' writes Coppini from London on the 4th July.—Brown's *Venetian Calendar*, i. 90.

⁵ *Engl. Chron.* (Davies), 94.

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king's presence to set forth certain matters that concerned the common weal of all the land. Foremost among these was the oppression of the Church, a charge based, seemingly, on facts with which we are unacquainted, and which, if known, might shed a clearer light upon the conduct of the legate and Archbishop Bourchier. Secondly, they complained of the crying evil that the king had given away to favourites all the revenues of his crown, so that his household was supported by acts of rapine and extortion on the part of his purveyors. Thirdly, the laws were administered with great partiality, and justice was not to be obtained. Grievous taxes, moreover, were levied upon the commons, while the destroyers of the land were living upon the patrimony of the crown. And now a heavier charge than ever was imposed upon the inhabitants; for the king, borrowing an idea from the new system of military service in France, had commanded every township to furnish at its own cost a certain number of men for the royal army; 'which imposition and talliage,' wrote the lords in this manifesto, 'if it be continued to their heirs and successors, will be the heaviest charge and worst example that ever grew in England, and the foresaid subjects and the said heirs and successors in such bondage as their ancestors were never charged with.'¹

Besides these evils, the infatuated policy into which the king had been led by his ill-advisers, threatened to lose Ireland and Calais to the crown, as France had been lost already; for in the former country letters had been sent under the Privy Seal to the chieftains who had hitherto resisted the king's authority, actually encouraging them to attempt the conquest of the land, while in regard to Calais the king had been induced to write letters to his enemies not to show that town any favour, and thus had given them the greatest possible

¹ It appears by Letter 377 that privy seals were issued in 1459 addressed on the back to certain persons, requiring them to be with the king at Leicester on the 10th of May, each with a body of men sufficiently armed, and with provision for their own expenses for two months. One of these privy seals, signed by the king himself, was addressed specially to John Paston's eldest son, John, who at this time could not have been more than nineteen years of age. On its arrival, his mother consulted with neighbours whether it was indispensable to obey such an injunction, and on their opinion that it was, wrote to her husband for instructions.

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inducement to attempt its capture. Meanwhile the Earls of Shrewsbury and Wiltshire and Viscount Beaumont, who directed everything, kept the king himself, in some things, from the exercise of his own free will, and had caused him to assemble the Parliament of Coventry for the express purpose of ruining the Duke of York and his friends, whose domains they had everywhere pillaged and taken to their own use.¹

It was impossible, in the nature of things, that evils such as these could be allowed to continue long, and the day of reckoning was now at hand. Of the great events that followed, it will be sufficient here to note the sequence in the briefest possible words. On the 10th July the king was taken prisoner at the battle of Northampton, and was brought to London by the confederate lords. The government, of course, came thus entirely into their hands. Young George Nevill, Bishop of Exeter, was made Chancellor of England, Lord Bouchier was appointed Lord Treasurer, and a Parliament was summoned to meet at Westminster for the purpose of reversing the attainders passed in the Parliament of Coventry. Of the elections for this Parliament we have some interesting notices in Letter 415, from which we may see how the new turn in affairs had affected the politics of the county of Norfolk. From the first it was feared that after the three earls had got the king into their hands, the old intriguers, Tuddenham and Heydon, would be busy to secure favour, or at all events indulgence, from the party now in the ascendant. But letters-missive were obtained from the three earls, directed to all mayors and other officers in Norfolk, commanding in the king's name that no one should do them injury, and intimating that the earls did not mean to show them any favour if any person proposed to sue them at law.² Heydon, however, did not choose to remain in Norfolk. He was presently heard of from Berkshire, for which county he had found interest to get himself returned in the new Parliament.

John Paston also was returned to this Parliament as one of the representatives of his own county of Norfolk. His

The battle
of North-
ampton.

John
Paston in
Parliament.

¹ The articles will be found in Holinshed, iii. 652-3; and in Davies's *Chronicle*, 86-90.

² No. 410.

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sympathies were entirely with the new state of things. And his friend and correspondent, Friar Brackley, who felt with him that the wellbeing of the whole land depended entirely on the Earl of Warwick, sent him exhortations out of Scripture to encourage him in the performance of his political duties.¹ But what would be the effect of the coming over from Ireland of the Duke of York, who had by this time landed at Chester, and would now take the chief direction of affairs?² Perhaps the chief fear was that he would be too indulgent to political antagonists. Moreover, the Dowager Duchess of Suffolk had contrived to marry her son to one of York's daughters, and it was apprehended her influence would be considerable. 'The Lady of Suffolk,' wrote Friar Brackley to Paston, 'hath sent up her son and his wife to my Lord of York to ask grace for a sheriff the next year, Stapleton, Boleyn, or Tyrell, *qui absit!* God send you Poynings, W. Paston, W. Rokewood, or Arblaster. Ye have much to do, Jesus speed you! Ye have many good prayers, what of the convent, city, and country.'³

York
challenges
the Crown.

Such was the state of hope, fear, and expectation which the new turn of affairs awakened in some, and particularly in the friends of John Paston. The next great move in the political game perhaps exceeded the anticipations even of Friar Brackley. Yet though the step was undoubtedly a bold one, never, perhaps, was a high course of action more strongly suggested by the results of past experience. After ten miserable years of fluctuating policy, the attainted Yorkists were now for the fourth time in possession of power; but who could tell that they would not be a fourth time set aside and proclaimed as traitors? For yet a fourth time since the fall of Suffolk, England might be subjected to the odious rule of favourites under a well-intentioned king, whose word was not to be relied on. To the commonweal the prospect was serious enough; to the Duke of York and his friends it was absolute and hopeless ruin. But York had now determined what to do. On the 10th of October, the third day of the Parliament, he came to Westminster with a body of 500 armed men, and took up quarters for himself within the royal palace. On the

¹ Letter 415.

² Letter 419.

³ Letter 415.

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16th he entered the House of Lords, and having sat down in the king's throne, he delivered to the Lord Chancellor a writing in which he distinctly claimed that he, and not Henry, was by inheritance rightful king of England.¹

The reader is of course aware of the fact on which this claim was based, namely, that York, through the female line, was descended from Lionel, Duke of Clarence, third son of Edward III., while King Henry, his father, and his grandfather had all derived their rights from John of Gaunt, who was Lionel's younger brother. Henry IV. indeed was an undoubted usurper; but to set aside his family after they had been in possession of the throne for three generations must have seemed a very questionable proceeding. Very few of the lords at first appeared to regard it with favour. The greater number stayed away from the House.² But the duke's counsel insisting upon an answer, the House represented the matter to the king, desiring to know what he could allege in opposition to the claim of York. The king, however, left the lords to inquire into it themselves; and as it was one of the gravest questions of law, the lords consulted the justices. But the justices declined the responsibility of advising in a matter of so high a nature. They were the king's justices, and could not be of counsel where the king himself was a party. The king's serjeants and attorney were then applied to, but were equally unwilling to commit themselves; so that the lords themselves brought forward and discussed of their own accord a number of objections to the Duke of York's claim. At length it was declared as the opinion of the whole body of the peers that his title could not be defeated, but a compromise was suggested and mutually agreed to that the king should be allowed to retain his crown for life, the succession reverting to the duke and his heirs immediately after Henry's death.³

So the matter was settled by a great and solemn act of state. But even a parliamentary settlement, produced by a display of armed force, will scarcely command the respect that it ought

¹ W. Worc., 483; Fabyan; *Rolls of Parl.* v. 375.

² W. Worc., 484.

³ *Rolls of Parl.* v. 375-9.

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to do if there is armed force to overthrow it. The king himself, it is true, appears to have been treated with respect, and with no more abridgment of personal liberty than was natural to the situation.¹ Nor could it be said that the peers were insensible of the responsibility they incurred in a grave constitutional crisis. But respect for constitutional safeguards had been severely shaken, and no securities now could bridle the spirit of faction: suspicion also of itself produced new dangers. The Duke of York, after all the willingness he had shown in Parliament to accept a compromise, seems to have been accused of violating the settlement as soon as it was made; for on that very night on which it was arranged (31st October), we are told by a contemporary writer that 'the king removed unto London against his will to the bishop's palace, and the Duke of York came unto him that same night by torchlight and took upon him as king, and said in many places that "This is ours by right."'² Perhaps the facts looked worse than they were really; for it had been agreed in Parliament, though not formally expressed in the Accord, that the duke should be once more Protector and have the actual government.³ But it is not surprising that Margaret and her friends would recognise nothing of what had been done in Parliament. Since the battle of Northampton she had been separated from her husband. She fled with her son first into Cheshire, afterwards into Wales, to Harlech Castle, and then to Denbigh, which Jasper Tudor, Earl of Pembroke, had just won for the House of Lancaster.⁴ Her flight had been attended with difficulties, especially near Malpas, where she was robbed by a servant of her own, who met her and put her in fear of the lives of herself and her child.⁵ In Wales she was joined by the Duke of Exeter, who was with her in October.⁶ From thence she sailed to Scotland, where the

¹ Though he was taken prisoner at the battle of Northampton, and had ever since been in the power of the victors, he does not appear to have been placed under any kind of restraint. In October, before the Parliament met, he was spending the time in hunting at Greenwich and Eltham.—No. 419.

² *Collections of a London Citizen*, 208 (Camden Society).

³ *English Chronicle* (Davies), 106; Fabyan; Hall, 249.

⁴ *Privy Council Proceedings*, vi. 303.

⁵ *Collections of a London Citizen*, 209.

⁶ No. 419.

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enemies of the Duke of York were specially welcome. For James II., profiting, as might be expected, by the dissensions of England, a month after the battle of Northampton, had laid siege to Roxburgh, where he was killed by the bursting of a cannon. Margaret, with her son, arrived at Dumfries in January 1461, and met his widow, Mary of Gueldres, at Lincluden Abbey.¹ Meanwhile her adherents in the North of England held a council at York, and the Earl of Northumberland, with Lords Clifford, Dacres, and Nevill, ravaged the lands of the duke and of the Earl of Salisbury. The duke on this dissolved Parliament after obtaining from it powers to put down the rebellion,² and marched northwards with the Earl of Salisbury. A few days before Christmas they reached the duke's castle of Sandal, where they kept the festival, the enemy being not far off at Pomfret.³ On the 30th December was fought the disastrous battle of Wakefield, when the Yorkists were defeated, the duke and the Earl of Salisbury being slain in the field, and the duke's son, the Earl of Rutland, ruthlessly murdered by Lord Clifford after the battle.

The battle
of Wake-
field.

The story of poor young Rutland's butchery is graphically described by an historian of the succeeding age who, though perhaps with some inaccuracies of detail as to fact, is a witness to the strong impression left by this beginning of barbarities. The account of it given by Hall, the chronicler, is as follows :—

‘While this battle was in fighting, a priest called Sir Robert Aspoll, chaplain and schoolmaster to the young Earl of Rutland, second son to the above-named Duke of York, scarce of the age of twelve years [he was really in his eighteenth year], a fair gentleman and a maiden-like person, perceiving that flight was more safeguard than tarrying, both for him and his master, secretly conveyed the Earl out of the field by the Lord Clifford's band towards the town. But or he could enter into a house, he was by the said Lord Clifford espied, followed, and taken, and, by reason of his apparel, demanded what he was. The young gentleman, dismayed, had not a word to speak, but kneeled on his knees, imploring mercy and desiring grace, both with

¹ *Auchinleck Chronicle*, 21. *Exchequer Rolls of Scotland*, vii. 8, 39, 157.

² *Rolls of Parl.* v. 382.

³ *W. Worc.*, 484.

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holding up his hands and making dolorous countenance, for his speech was gone for fear. "Save him," said his chaplain, "for he is a prince's son, and peradventure may do you good hereafter." With that word, the Lord Clifford marked him and said—"By God's blood, thy father slew mine; and so will I do thee and all thy kin"; and with that word stack the Earl to the heart with his dagger, and bade his chaplain bear the Earl's mother word what he had done and said.'

Another illustration which the chronicler goes on to give of Clifford's bloodthirsty spirit may be true in fact, but is certainly wrong as regards time. For he represents Queen Margaret as 'not far from the field' when the battle had been fought, and says that Clifford having caused the duke's head to be cut off and crowned in derision with a paper crown, presented the ghastly object to her upon a pole with the words:—'Madam, your war is done; here is your king's ransom.' Margaret, as we have seen, was really in Scotland at the time, where she negotiated an alliance with the Scots, to whom she agreed to deliver up Berwick for aid to her husband's cause. But soon afterwards she came to York, where, at a council of war, she and her adherents determined to march on London. So it may have been a fact that Clifford presented to her the head of York upon a pole with the words recorded. But never was prophecy more unhappy; for instead of the war being ended, or the king being ransomed, there cannot be a doubt these deeds of wickedness imparted a new ferocity to the strife and hastened on the termination of Henry's imbecile, unhappy reign. Within little more than two months after the battle of Wakefield the son of the murdered Duke of York was proclaimed king in London, by the title of Edward iv., and at the end of the third month the bloody victory of Towton almost destroyed, for a long time, the hopes of the House of Lancaster. From that day Henry led a wretched existence, now as an exile, now as a prisoner, for eleven unhappy years, saving only a few months' interval, during which he was made king again by the Earl of Warwick, without the reality of power, and finally fell a victim, as was generally believed, to political assassination. As for Margaret, she survived her husband, but she also survived her son, and the cause for

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which she had fought with so much pertinacity was lost to her for ever.

And now we must halt in our political survey. Henceforth, though public affairs must still require attention, we shall scarcely require to follow them with quite so great minuteness. We here take leave, for the most part, of matters, both public and private, contained in the Letters during the reign of Henry VI. But one event which affected greatly the domestic history of the Pastons in the succeeding reign, must be mentioned before we go further. It was not long after the commencement of those later troubles—more precisely, it was on the 5th November 1459, six weeks after the battle of Bloreheath, and little more than three after the dispersion of the Yorkists at Ludlow—that the aged Sir John Fastolf breathed his last, within the walls of that castle which it had been his pride to rear and to occupy in the place of his birth. By his will, of which, as will be seen, no less than three different instruments were drawn up, he bequeathed to John Paston and his chaplain, Sir Thomas Howes, all his lands in the counties of Norfolk and Suffolk, for the purpose of founding that college or religious community at Caister, on the erection of which he had bestowed latterly so much thought. The manner in which this bequest affected the fortunes of the Paston family has now to be considered.

Death of
Sir John
Fastolf.

Fastolf's Lands

Under the feudal system, as is well known, on the death of any tenant *in capite* of the crown, his lands were seized in the king's name by an officer called the escheator, until it was ascertained by a jury of the county who was the next heir that should succeed to the property, and whether the king had any right of wardship by reason of his being under age. But when Sir John Fastolf died, he left no heir, nor was he, strictly speaking, at his death a tenant *in capite* of the crown. He had at different times handed over all his landed property to trustees, who were to hold it to his use so long as he lived, and to apply

A.D. 1459.
The lands
of Sir John
Fastolf.

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it after his death to the purposes mentioned in his will. For the greater part of his lands in the counties of Norfolk, Suffolk, Essex, and Surrey, he had appointed one body of trustees as early as the year 1449, ten years before his death.¹ This body consisted of five bishops, including the two primates, three lords, two justices of the King's Bench, two knights, and ten other persons. But of these original trustees a good number were already dead, when, in the year 1457, a new trust was created, and the greater part of the Norfolk and Suffolk property was vested in the names of Thomas Bouchier, Archbishop of Canterbury, William Waynflete, Bishop of Winchester, William Yelverton, Justice of the King's Bench, John Paston, Esq., Henry Fylongley, Esq., Thomas Howes, clerk, and William Paston. In the preceding year he had already created these same persons, with the addition of William Jenney, his trustees for the manor of Titchwell, in Norfolk, and the same again, with Jenney, but without Bishop Waynflete, for the manor of Beighton. The trust-deed for the former manor was dated 1st April 34 Henry vi., and that for the latter 26th March 34 Henry vi.²

John and
William
Paston,
trustees.

Thus it appears that as early as the month of March 1456, about a year and a half after Sir John Fastolf had taken up his abode in Norfolk, John Paston and his brother William were already named by him as trustees for some of his property. From that time the influence of John Paston with the old knight continued to increase till, as it was evident that the latter drew near his end, it became a subject of jealousy and suspicion. Of course, these feelings were not diminished when it was found after Fastolf's death that, subject only to the obligation of founding his college at Caister, and paying 4000 marks to his other executors, he had in effect bequeathed to John Paston the whole of his lands in the counties of Norfolk and Suffolk. Yet it does not appear that in Fastolf's latter days John Paston was about him more than usual. He was just as frequently away in London as he had been in any

¹ The deed is dated 7 July 27 Hen. vi., and inrolled on the *Close Roll*, 29 Hen. vi. m., 39, *in dorso*.

² *Inquisition post mortem*, 38 and 39 Henry vi., No. 48.

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previous year.¹ But even when absent, he had a very staunch and hearty friend in Friar Brackley, who frequently visited the sick chamber, and took every opportunity to preserve and augment the high esteem that Fastolf entertained for him. At the last Brackley wrote to urge him to come down to Norfolk, as the patient evidently could not live much longer. 'It is high time; he draweth fast homeward, and is right low brought, and sore weakened and feebled.' Paston must bring with him a draft petition to the king about the foundation of the college at Caister, and an arrangement with the monks of St. Benet's, for the dying man's satisfaction. 'Every day this five days he saith, "God send me soon my good cousin Paston, for I hold him a faithful man, and ever one man." *Cui ego*: "That is sooth," &c. *Et ille*: "Show me not the meat, show me the man."' Such is the curious report written by Dr. Brackley to Paston himself of the anxiety with which the old knight expected him shortly before his death.²

On the other hand, William Worcester, who had so long acted as Fastolf's private secretary, was perhaps a little jealous at the closer intimacy and greater influence of Paston with his master. At least, if this was not his feeling before Sir John Fastolf's death, he expressed it plainly shortly afterwards. It was, he considered, owing to himself that John Paston had stood so high in Fastolf's favour;³ and it seemed scarcely reasonable that Paston should have the principal share in the administration of the property while he, who had been so long in Fastolf's service, so devoted to his interests, and yet so ill rewarded during his master's life, found no kind of provision made for him in the will. It was, indeed, perfectly true that Fastolf had named him one of his executors. But this executorship, as it turned out, was not a thing likely to yield him either profit or importance. For by the last will, made immediately before the testator's death, a body of ten executors was constituted, of whom two were to have the sole and absolute administration, the others having nothing whatever to do except when those two thought fit to ask for their

¹ See Nos. 376, 377, 379, 380, 383.

² No. 383.

³ No. 401.

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advice. The two acting executors were to be John Paston and Thomas Howes. William Worcester was one of the other eight.¹

Yet, at first, he refrained from expressing dissatisfaction, and showed himself ready to co-operate with John Paston. Within a week after Fastolf's death, he accompanied William Paston up to London, and joined him in an interview with Bishop Waynflete, at that time Lord Chancellor, who was one of the other executors. In accordance with Bishop Waynflete's advice, he and William Paston proceeded to collect and sequester the goods of the deceased in different parts of London until the time that John Paston could have an interview with the bishop. They managed to have goods out of the Abbey of Bermondsey that no one knew about, except William Paston and Worcester themselves, and another man named Plomer. In short, William Worcester acted at this time as a most confidential and trusty friend to John Paston's interests, being either entirely ignorant how little provision was made for his own, or trusting to Paston's benevolence and sense of justice for that reward which was not expressly 'nominated in the bond.' And William Paston felt his claims so strongly that he could not help insinuating to his brother that he was bound in honour to make him a provision for life. 'I understand by him,' wrote William Paston, 'he will never have other master but his old master; and to my conceit it were pity but if he should stand in such case by my master he should never need service, considering how my master trusted him, and the long years that he hath been with him in and many shrewd journeys for his sake.'²

But very shortly afterwards the manner in which Worcester spoke of Paston revealed a bitter sense of disappointment and injustice. He asserted that Fastolf had actually granted him a portion of land to live upon, and that Sir Thomas Howes, Fastolf's confessor, who was his wife's uncle, had been present in the chapel at Caister when this gift was conceded. Worcester's wife had in fact asked Sir Thomas to choose the land. Nevertheless, when he came to demand of Paston that to which he considered he had a lawful claim, the latter was displeased

¹ No. 387.

² Nos. 391, 393.

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with him ; nor did the two come to a good understanding again during Paston's life.¹

It was but nine days after Sir John' Fastolf's death, and three days after his first interview with the chancellor, Bishop Waynflete, that William Paston, in writing to his brother, expressed his intention of going to the bishop again for writs of *diem clausit extremum*. These writs were the ordinary authority under which the escheators of the different counties wherein the deceased had held lands would proceed to inquire what the manors were, and to whom they ought to descend. That many pretenders would lay claim to the different portions of those rich domains, John Paston and his brother knew full well. The Duke of Exeter had already set up a claim to Fastolf's place in Southwark, on what grounds it is impossible to say. Others, who had no hope of proving title to any part of the property themselves, expected to win favour at court by offering to establish the rights of the crown in all the goods and chattels. William Paston accordingly endeavoured to secure the friendship of the Lord Treasurer, James, Earl of Wiltshire and Ormond ; but though the earl gave him fair words, William Paston was advised to put no trust in him.² In point of fact, soon after Christmas, the earl entered Sir John's mansion in Southwark, and occupied it for a time as if it had been his own dwelling-house.³

Claimants
of Fastolf's
property.

The escheator of the counties of Norfolk and Suffolk was Richard Southwell, a friend of John Paston's, and if the writs of *diem clausit extremum* had been issued at once, the latter doubtless hoped that the rights of Fastolf's trustees would have been immediately acknowledged by two different juries, the one in Norfolk and the other in Suffolk. But the efforts

¹ No. 401. It appears by a document inrolled in the *Close Roll* of 39 Henry VI., m. 13, *in verso*, that Worcester on the 28th August 1460 executed a deed making over all his goods and chattels (*bona mea et catalla mobilia et immobilia, viva et mortua, ubicumque et in quoruncumque manibus*), and all debts due to him from whatever persons, to Henry Everyngham, Esq., Hugh Fenne, gentleman, Henry Wyndesore, gentleman, Robert Toppes, jun., gentleman, and John Bokkyng, gentleman; which deed he acknowledged in Chancery on the 1st September following (*see Appendix to this Introduction*).^{*} Apparently the object of this was to give others an interest in vindicating what he supposed to be his rights.

² No. 391.

³ W. Worcester's *Annals*.

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of William Paston were not crowned with such speedy success as he and his brother could have wished. Already, on the 10th November, writs of *diem clausit extremum* had issued without his applying for them, but they were only for the counties of Surrey and Essex, in which John Paston was not interested. Special commissions to the same effect for the counties of Wilts and Yorkshire were procured from the king at Coventry eighteen days later. But for Norfolk and Suffolk the writs were not issued till the 13th May in the following year.¹ The delay was most probably owing to representations on the part of Paston's enemies; and to the same cause we may attribute the fact that even after the writ was issued it was not acted on for five months longer, so that nearly a whole year had elapsed since Sir John Fastolf's death before the Norfolk and Suffolk inquisitions were held. But at length the opposition was overcome. 'A great day' was holden at Acle before the under-sheriff and the under-escheator, in presence of some of the most substantial gentlemen of Norfolk; 'and the matter,' wrote Margaret Paston to her husband, 'is well sped after your intent.'²

Already John Paston's increased importance in his native county had come to be acknowledged. He was at this time knight of the shire for Norfolk. His wife was living at Hellesdon, on the Fastolf estates, two miles out of Norwich; and the mayor and mayoress paid her the compliment of sending thither their dinners and inviting themselves out to dine with her. The mills at Hellesdon and the lands at Caister were let by his agents, and apparently, in spite of his opponents, whoever they may have been, he had succeeded in obtaining quiet possession of all Fastolf's lands in Norfolk.³ Equally little resistance seems to have been made to his claims in the county of Suffolk, where an inquisition was taken at Bungay nine days after that which had been taken at Acle. In each county the jury limited themselves to declaring the names of the trustees in whose hands the property remained at Fastolf's death, and nothing was said about the will. A will,

¹ *Inquis. post mortem*, 38 and 39 Henry VI., No. 48.

³ *Ibid.*

² No. 423.

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in itself, could convey no title to lands, and the juries had nothing to do with it. But in both counties John Paston, either as executor or as one of the trustees, was allowed to assume at this time the entire control of the property.

But now came the renewal of civil war—the battle of Wakefield, soon avenged by the proclamation of Edward iv. as king, and the bloody victory of Towton. The kingdom A.D. 1461. was convulsed from end to end, and there was little chance for doubtful titles and disputed claims, except when supported by the strong arm of power. Long before the time at which we have now arrived, the Duke of Norfolk had set covetous eyes The Duke of Norfolk. upon Sir John Fastolt's magnificent new castle of Caister, and he had spread a report in the country that the owner had given it to him.¹ But it would seem that Sir John himself had never entertained such an idea, and if ever in conversation with the duke he had let fall something that might have encouraged the hope, he had taken special care before his death to show that it was unfounded. For the duke had visited Sir John in September before he died, and had proposed to purchase of him the reversion of the manor; but Sir John distinctly told him he had given it to Paston for the purpose of founding a college.² Indeed, it is perfectly clear that for years he had intended it to be turned into an abode of priests, and not made a residence for any such powerful nobleman. And this intention, which is apparent enough in several of the letters written during his lifetime, was expressed in the most unambiguous language in the document which John Paston declared to have been his last will.³ Indeed, if we believe John Paston's testimony, interested though it no doubt may be, it was chiefly from a fear that his executors might sell the place, not, indeed, to the duke, of whom he seems at that time to have ceased to entertain any apprehension, but to the Viscount Beaumont, the Duke of Somerset, or the Earl of Warwick, that the old knight determined to make Paston his principal executor.⁴ So, 'to avoid that no lord, nor great estate, should inhabit in time coming within the great mansion,' he made a covenant with Paston by which the

¹ No. 222 (in vol. ii.).

² No. 543.

³ No. 385.

⁴ No. 390.

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latter was to have in fee-simple all his lands in the counties of Norfolk and Suffolk, subject only to the payment of a sum of 4000 marks and the duty of establishing in Caister Castle 'a college of seven religious men, monks, or secular priests, and seven poor folk, to pray for his soul and the souls of his wife, his father, and mother, and other that he was behold to, in perpetuity.' And if in endeavouring to carry out this object John Paston was interfered with by any one attempting to obtain possession of the place by force, he was enjoined to 'pull down the said mansion, and every stone and stick thereof, and do found three of the said seven priests or monks at St. Benet's, and one at Yarmouth, one at Attleborough, and one at St. Olave's Church at Southwark.'¹

Yet, notwithstanding all this, the Duke of Norfolk, within three months after the accession of Edward iv., and little more than a year and a half after Sir John Fastolf's death,² had certainly taken possession of the great mansion of Caister. The confusion of the time undoubtedly favoured the act, and redress might well have been a troublesome matter, as the Duke of Norfolk was a nobleman whom perhaps even the king would not care to displease. But Edward was a king who, with many faults, was most honourably anxious from the first to do justice even to the meanest of his subjects.³ Paston repaired to the royal presence, and obtained letters from the king to the duke, which his servant, Richard Calle,

¹ No. 386.

² He had probably done so before by authority of Henry vi., for in the beginning of 1460 Friar Brackley writes: 'A man of my Lord Norfolk told me here he came from London, and there he had commonly voiced that the Duke of Norfolk should, by the king's commandment, keep his Easter at Caister for safeguard of the country against Warwick and other such of the king's enemies.'—Vol. iii. p. 212.

³ Edward's reply to another suit preferred by John Paston this same year is an excellent example of this spirit of impartiality. John Paston's eldest son writes to his father as follows, touching an interview he had had with the Lord Treasurer, the Earl of Essex: 'And now of late I, remembering him of the same matter, inquired if he had moved the king's highness therein. And he answered me that he had felt and moved the king therein, rehearsing the king's answer therein: how that when he had moved the king in the said manor of Dedham, beseeching him to be your good lord therein, considering the service and true part that ye have done and ought to him, and in especial the right that ye have thereto, he said he would be your good lord therein, as he would to the poorest man in England. He would hold with you in your right; and as for favour, he will not be understood that he shall show favour more to one man than to another, not to one in England.'

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conveyed to Framlingham. They were delivered to his lordship at the lodge of his demesne, but the messenger was not admitted to his presence. The duke, however, wrote an answer to the king, promising shortly to repair to Court, when he offered to prove that some of the statements in Paston's letters were erroneous, and that he himself was the person who had the best claim to the manor. It appears there was one other claimant besides, viz. Thomas Fastolf of Cowhaw; but he, not expecting to make his title good against Paston himself, and having need of a powerful friend in some other matters, gave up his claim to the duke, and brought documents to justify the latter in taking possession by the right derived from him.¹

In the end, however, Paston's appeal to the king must have been successful. Caister was certainly restored to him, and in all probability it was restored within a month or two before the Duke of Norfolk's death, which occurred that same year, in the beginning of November.²

The Beginning of Edward IV.'s Reign

But notwithstanding the even-handed justice of the king, the times were wild and unsettled. The revolution by which Henry was deposed was not a thing calculated to bring sudden peace and quiet. On the Patent Rolls of this year we have innumerable evidences of the state of alarm, confusion, and tumult which prevailed continuously for at least a twelvemonth over the whole kingdom. Commissions of array,³ commissions to put down insurrections,⁴ and to punish outrages,⁵ to arrest seditious persons,⁶ to resist the king's enemies at sea,⁷ or to

Troubled
times.

¹ Nos. 458, 465.

² This perhaps may be a reason for supposing Letter 630 to have been written in the year 1461, notwithstanding the difficulty mentioned in the preliminary note.

³ *Patent Roll*, 1 Edward IV. p. 1, m. 18 d., dated March 16; and m. 19 d., dated May 10; p. 4, m. 22 d., February 24 and March 1 (1462); also p. 2, m. 12 d. (against the Scots), Nov. 13.

⁴ *Ib.* p. 1, m. 27 d., March 28, and p. 3, m. 3 d., July 8.

⁵ *Ib.* p. 2, m. 10 d., Aug. 17.

⁶ *Ib.* p. 2, m. 12 d., Nov. 4; and p. 4, m. 22 d., Feb. 28 (1462).

⁷ *Ib.* p. 3, m. 3 d., July 12.

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Thomas
Denys.

prepare beacons on the coast to give warning of apprehended invasion,¹ are continually met with. Our Letters also tell the same tale. Margaret Paston writes at one time about 'Will. Lynys that was with Master Fastolf, and such other as he is with him,' who went about the country accusing men of being Scots, and only letting them go on payment of considerable bribes. 'He took last week the parson of Freton, and but for my cousin Jerningham the younger, there would have led him forth with him; and he told them plainly, if they made any such doings there, unless they had the letter to show for them, they should have laid on² on their bodies.'³ A still more flagrant instance of lawlessness had occurred just before, of which our old acquaintance Thomas Denys was the victim. He was at this time coroner of Norfolk. If not in Edward iv.'s service before he was king, he became a member of the royal household immediately afterwards, and accompanied the new king to York before his coronation. It appears that he had some complaints to make to the king of one Twyer, in Norfolk, and also of Sir John Howard, the sheriff of the county, a relation of the Duke of Norfolk, of whom we have already spoken,⁴ and shall have more to say presently. But scarcely had he returned home when he was pulled out of his house by the parson of Snoring, a friend of Twyer's, who accused him of having procured indictments against Twyer and himself, and carried him off, we are not told whither.⁵ All we know is that in the beginning of July Thomas Denys was murdered, and that there were various reports as to who had instigated the crime. William Lomner believed that some men of the Duke of Norfolk's council were implicated. Sir Miles Stapleton factiously endeavoured to lay the blame on John Berney of Witchingham. The parson of Snoring was put in the stocks, with four of his associates, but what further punishment they underwent does not appear. John Paston was entreated to use his influence to get them tried by a special commission.⁶ The

¹ *Ib.* p. 3, m. 3 *d.* and 27 *d.*, Aug. 6 and 12; also m. 8 *d.*, Jan. 29.

² Such, I think, must be the meaning intended. The expression in the original is, 'they shuld aley (*qu.* should a' laid ?) on her bodyys.'

³ No. 469.

⁴ See p. 164.

⁵ Nos. 455, 463.

⁶ No. 472.

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most precise account of the crime is found in the records of the King's Bench, which give us the date and place where it occurred. One Robert Grey of Warham, labourer, was indicted for having, along with others, attacked Denys on Thursday the 2nd July, and dragged him from his house at Gately to Egmere, not far from Walsingham, where they killed him on the Saturday following.

Elizabeth Poynings, too, John Paston's sister, has some experience of the bitterness of the times. She has by this time become a widow, having lost her husband at the second battle of St. Albans, and her lands are occupied by the Countess of Northumberland and Robert Fenys, in disregard of her rights.¹ In times of revolution and tumult the weak must go to the wall.

Besides these illustrations of the social condition of the times, our Letters still abound with information not to be found elsewhere as to the chief political events. Here we have the record of the battle of Towton, of those who fell, and of those who were wounded ;² after which we find Henry vi. shut up in Yorkshire, in a place the name of which is doubtful.³ Then we hear of the beheading of the Earl of Wiltshire, and of his head being placed on London Bridge.⁴ Then come matters relating to the coronation of Edward iv., which was delayed on account of the siege of Carlisle.⁵ On this occasion, it seems, John Paston was to have received the honour of knighthood,⁶ which he doubtless declined, having already compounded with Henry vi. not to be made a knight.⁷ Two years later, however, his eldest son was made one, very probably as a substitute for himself, apparently just at the time when he attained the age of twenty-one.⁸ To the father such an honour would evidently have been a burden rather than a satisfaction.

But on the whole John Paston stood well with his countrymen, and the change of kings was an event from which he

¹ No. 461.

² No. 450.

³ No. 451.

⁴ Nos. 451, 452.

⁵ No. 457.

⁶ Nos. 457, 460.

⁷ No. 373.

⁸ Sir John Paston must have been born in 1442. At the inquisition taken in October 1466, after his father's death, he was found to be twenty-four years old and more.

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John
Paston
returned
to Parlia-
ment.

had no reason to anticipate bad consequences to himself. Since the death of Sir John Fastolf he had become a man of much greater importance, and he had been returned to Parliament in the last year of Henry VI. as a supporter of the Duke of York. He was now, in the first year of Edward IV., returned to Parliament again. He was apparently in good favour with the king, and had been since the accession of Edward for a short time resident in his household.¹ The king also obtained from him the redelivery of the jewels pawned by his father, the Duke of York, to Sir John Fastolf,² in consideration of which he granted John Paston an assignment of 700 marks³ on the fee-farm of the city of Norwich, and on the issues of the counties of Norfolk and Suffolk. But his election as knight of the shire for Norfolk did not pass altogether without question. Paston's wife's cousin, John Berney of Witchingham, whom Sir Miles Stapleton accused of being implicated in the murder of Denys, had taken a leading part in the proceedings, and Stapleton alleged that he was meditating further outrages. The people had appeared 'jacked and saletted' at the shire house, the under-sheriff was put in suspicion of Berney, and the sheriff, Sir John Howard, conceived it would be necessary to have a new election. To this neither Berney nor Paston very much objected. Berney was willing to give every assurance that he would do the under-sheriff no bodily hurt, but he considered his conduct that at the election had not been creditable, and he desired that he would either intimate to the people that the election should stand, or procure a new writ, and publicly announce the day on which another election should be holden. As for Paston, he was perfectly satisfied, provided that he were not put to further expense, as he believed it was the general desire of the people to ratify what they had done; he only wished that it might be

¹ No. 459.

² No. 473. Compare No. 223. It is striking that, notwithstanding his large possessions in land, the Duke of York should have been unable for eight years to redeem these jewels.

³ This was less than the sum (£487) for which the jewels were pledged, and yet it was the whole compensation granted both for the jewels and for a bond of 100 marks given by the Duke of York to Fastolf, which Paston also surrendered.

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on a holiday, so as not to interfere with the people's work. The matter was discussed before the king himself, John Paston and the under-sheriff being present, each to answer for his part in the affair, and a writ was finally granted for a new election on St. Laurence's Day. But from what he had seen of the conduct of the under-sheriff, Paston seems to have been afraid the day might yet be changed, to his prejudice; so, in a personal interview with that functionary, he got him to place the writ in his hands, and sent it down to his wife to keep until the new day of election came round, charging her to see that the under-sheriff had it again that day.¹

His suspicions of unfair dealing were probably too well founded. At all events, the new election did not pass over peacefully any more than the previous one, perhaps not so much so. We do not, indeed, hear any more of John Berney and Sir Miles Stapleton; but the sheriff, Sir John Howard, John Paston and Sir John Howard, had a violent altercation with Paston himself in the shire house, and one of Howard's men struck Paston twice with a dagger, so that he would have been severely wounded but for the protection of a good doublet that he wore on the occasion.²

The occurrence was an awkward one. The feuds in the county of Norfolk had already occupied the king's attention once, and that which it was supposed would have been a settlement had proved no settlement at all. Perhaps Edward had been too lenient towards old offenders; for Sir Miles Stapleton was but an ally of Sir Thomas Tuddenham and John Heydon, of whom we have heard so much in the days of Henry VI., and these two personages were almost as influential as ever. Some time before the king's coronation, they had received a royal pardon, on the strength of which, as we learn by a letter at that time, they intended going up to London with the Duchess of Suffolk to be present at the ceremony.³ And very soon afterwards we have a renewal of the old complaints that 'the world was right wild, and had been sithence Heydon's safeguard was proclaimed at Walsingham.'⁴ But

¹ Nos. 466-8, 471, 475.

² No. 458.

³ Nos. 477, 478.

⁴ No. 465.

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whoever was in fault, it was a serious thing for John Paston—who by this time hoped that he was in favour with the king, and had actually got his eldest son introduced into the king's household¹—that royal influence itself could not still the angry feelings that had arisen about his election. The dispute must now once more come before the king, and his adversary, in consequence of his relation to the Duke of Norfolk, was doubtless a man of considerable influence. Paston himself, it is true, was in the position of the injured party, but he forbore to complain. The subject, however, was brought by others under the notice of the king, who commanded both Paston and Howard to appear before him, and was even incensed at the former for delaying to obey his summons. On the 11th of October the king said to one of John Paston's friends: 'We have sent two privy seals to Paston by two yeomen of our chamber, and he disobeyeth them; but we will send him another to-morrow, and, by God's mercy, if he come not then, he shall die for it. We will make all other men beware by him how they shall disobey our writing. A servant of ours hath made a complaint of him. I cannot think that he hath informed us all truly. Yet not for that we will not suffer him to disobey our writing; but sithence he disobeyeth our writing, we may believe the better his guiding is as we be informed.'²

These terrible words were reported to John Paston by his brother Clement, then in London, who urged him to come up from Norfolk in all possible haste, and to be sure that he had some very weighty excuse for having neglected the previous messages. But besides great despatch in coming, and a very weighty excuse, one thing more was very necessary to be attended to, and this further admonition was added: 'Also, if ye do well, come right strong; for Howard's wife made her boast that if any of her husband's men might come to you, there should go no penny for your life, and Howard hath with the king a great fellowship.'³

It was clear this advice was not to be neglected. Paston seems to have been detained in Norfolk by a dispute he had

¹ No. 477, 478.

² No. 484.

³ *Ibid.*

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with his co-executors Judge Yelverton¹ and William Jenney, who refused to acknowledge his claims as chief administrator of Fastolf's will, and had entered on the possession of some of Sir John's manors in Suffolk, near the borders of Norfolk.² But his absence from London had done great mischief. Not only Howard, but the Dukes of Norfolk and Suffolk were endeavouring to put him out of the king's favour; and it was said that Caister would be given to the king's brother, Richard, Duke of Gloucester.³ Worst of all, however, was the fact that the king, who had evidently had a good opinion of Paston hitherto, was beginning to alter his tone so seriously. No time, therefore, was to be lost in going up to London, and no marvel though, when he got there, he was immediately committed to the Fleet.⁴ John Paston imprisoned.

John Paston's enemies, acting in several ways, had now done their worst. While the news of his dispute with Howard was reported to the king in the most unfavourable terms, Judge Yelverton (he had been made Sir William Yelverton at the coronation)⁵ and William Jenney entered Sir John Fastolf's manor of Cotton in Suffolk, and distrained upon the tenants for rent. John Paston's faithful servant, Richard Calle, at first interrupted their proceedings, and when Jenney went to hold a court at Cotton, entered the place before he came, along with Paston's eldest son. By Calle's activity and watchfulness the court was holden in Paston's name, although it had been summoned in Jenney's; and Manor of Cotton.

¹ I have already indicated my belief that Judge Yelverton was the real person nicknamed *Colinus Gallicus* in Friar Brackley's letters. It is quite clear by No. 404 (one of the letters found after the text of Mr. Arber's edition had passed through the press) that *Colinus Gallicus* not only could not have been Worcester, but that he was a man of some social standing on familiar terms with the Earl of Wiltshire. This, and the fact that he was one of Fastolf's executors, seem to prove his identity. It is a satisfaction to find that, though Brackley did not love William Worcester, the bitter words in No. 383 were not levelled at him. Thus he wrote while Sir John Fastolf was on his deathbed: '*Colinus Gallicus* says in Yarmouth and other places that he is an executor. He said also yesterday before several persons, if once he were in London, he wishes never to see Norfolk. He says also, whereas the executors think they will have keys, after the death others will have keys as well as they. He is a very deceitful man (*falsissimus*). . . . That same *Gallicus* intensely hates the rector (Howes), and would like to supplant him.'

² No. 481.

³ Nos. 482, 484.

⁴ No. 488.

⁵ No. 457.

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young John Paston next day, to requite the enemy for the trouble they had occasioned, took with him thirty men, and rode to Jenney's place, where he carried off thirty-six head of neat, and brought them into Norfolk. This was a bold exploit, for the enemy had threatened to drag him and Calle out of the place by violence; but Calle still remained, and twelve men with him, and kept possession for five whole days, during which time he visited the farmers and tenants of the manor, and ascertained that they were all well disposed towards Paston, and would pay no money to any one else. But, unfortunately, just at this point came the summons to Paston which he did not dare to disobey; and his opponents knew how to profit by his absence and imprisonment in London. Yelverton and Jenney did not re-enter the manor themselves; but Jenney sold his interest in it to one Gilbert Debenham, who intended to give it to his son, Sir Gilbert, for a dwelling-house. Accordingly, by the encouragement of Jenney and Debenham, a body of unknown men took possession of the place, and garrisoned it against all comers as strongly as they could. They broke down the drawbridge over the moat, so that no one could enter the place except by means of a ladder. They melted lead, and damaged the property in various ways, while John Paston was a prisoner in the Fleet. At the same time Yelverton and Jenney took proceedings against Richard Calle. They succeeded in getting him imprisoned upon an indictment for felony in Norfolk; and, fearing lest he should be acquitted upon that charge, they 'certified insurrections' against him in the King's Bench, and sent the sheriff a writ to bring him up to London in the beginning of November.¹

John
Paston re-
leased from
prison.

But before the day that Richard Calle was to appear in the King's Bench John Paston was delivered from the Fleet, and his adversary Howard was sent to prison in his place. The whole circumstances of the controversy had been laid before the king, and Paston was released after about a fortnight's imprisonment. The news that he had got into trouble had excited much sympathy in Norwich, for he was highly popular, and Howard's attempt to set aside his election met with very

¹ Nos. 485-487.

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little approbation. Margaret Paston, especially, was sad and downcast at home, and though her husband had sent her comfortable messages and letters showing that his case was not so bad as it appeared to be, 'yet I could not be merry,' she wrote to him, 'till this day that the Mayor sent to me, and sent me word that he had knowledge for very truth that ye were delivered out of the Fleet.'¹

The king was much interested in the dispute, and was laudably determined to insist upon justice and fair dealing. He appointed Sir Thomas Montgomery, one of the knights of his own household, in whom he had special confidence, sheriff of Norfolk for the ensuing year. And when Sir Thomas went down into Norfolk, he sent Sir William Yelverton along with him, who, though not very favourably disposed towards Paston, was still one of the justices, and bound to be impartial. Edward gave them both a very explicit message from his own mouth to declare to the people in the shire house, and Yelverton was made the spokesman. He said the king had been greatly displeased to hear that there had been 'a riotous fellowship' in the county, but that he understood it was not owing to disaffection on the part of the people generally—that it had been stirred up only by two or three evil-disposed persons—that he and the sheriff were there by the king's command, ready to receive complaints from any man against any one whomsoever—and that if they could not prevail upon the wrongdoer to make restitution, the bills should be sent to the king; moreover, that if any man was afraid to set forth his grievances, he should have full protection. At this point Yelverton asked the sheriff if he remembered anything more in the king's message, and requested him in that case to declare it himself. The sheriff said Sir William had set forth everything, except that the king had made special reference to two persons, Sir Thomas Tuddenham and Heydon. 'Ah, that is truth,' said Yelverton; and he explained that any one who wished to complain of them should be protected also. The sheriff then added a few words for his part, in which he promised faithfully before all the people, 'and swore by great

Message
from the
king to the
people of
Norfolk.

¹ No. 438.

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oaths,' that neither by fear nor by favour would he be restrained from communicating to the king the truth as he found it to be.¹

A.D. 1462.

All this was reassuring ; but yet it was remarked that John Paston did not come home again into Norfolk, and neither did his colleague in the representation of the county, John Berney of Witchingham. This alone caused Margaret Paston still to entertain apprehensions for her husband's safety, and her suspicions were shared by many, who feared that they and Paston alike were involved in some new charges of sedition. Busybodies, it was thought, had been insinuating to the king that a very rebellious spirit prevailed in Norfolk, and report said that the Dukes of Clarence and Suffolk would come down with certain judges commissioned to try such persons as were 'noised riotous.' The rumour scarcely tended to pacify discontent. If it were true, people said they might as well go up to the king in a body to complain of those who had done them wrong, and not wait quietly to be hanged at their own doors. The Duke of Suffolk and his mother were the maintainers of those who oppressed the country most, and nothing but severity could be expected from a commission of which the duke was a member, unless his influence were counteracted by that of more popular persons.² These misgivings, however, were happily soon after set at rest. The election of John Paston was confirmed, and no such dreaded commission appears to have been sent into Norfolk. 'The people of that country,' wrote Margaret Paston to her husband, 'be right glad that the day went with you on Monday as it did. You were never so welcome into Norfolk as ye shall be when ye come home, I trow.'³ Paston, in fact, appears to have gained a complete triumph over his adversaries, and it was said that Howard was likely to lose his head.⁴

But the dispute with Yelverton and Jenney was still unsettled. Writs were sent down into Norfolk to attach John Paston's eldest son and Richard Calle upon indictments of trespass, and Debenham threatened to hold a court at Calcot in defiance of Paston's agents.⁵ It is evident, too, that

¹ Nos. 497, 500.

² No. 504.

³ No. 505.

⁴ No. 510.

⁵ No. 538.

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he made good his word, and John Paston in consequence got his tenants to bring actions against him.¹ Cross pleas between the parties occupied the courts at Westminster for a year or more, during which time we find it suggested to John Paston that he would never get leave to live in peace, unless he could by some means obtain 'the good lordship' of the Duke of Suffolk.² Appeals to law and justice were all very well, and no one fought his battle in the courts with more unflinching energy than Paston; but unless he wished to be always fighting, the best way for him was to obtain the favour of the great.

It is a question, indeed, whether in this eternal turmoil of litigation at Westminster, and watch to keep out intruders in his Suffolk manors, John Paston had not to some extent neglected his duty to his children at home. Such, at least, was the world's opinion, and there were candid friends who did not hesitate to tell him so. His eldest son now attained the age of twenty-one, and received the dignity of knighthood—probably, as we have before suggested, as a substitute for himself. The young man had been summoned four years before to attend and do military service to King Henry VI.³ He had since been for some little time a member of King Edward's household, travelling about with the court from place to place.⁴ But he had scarcely seen the usual amount of service, and though now of full age, and known as Sir John Paston, knight, he was living again under his father's roof, wasting his time, as it was considered, in inglorious ease. 'At reverence of God, take heed,' wrote some one to his father, 'for I hear much talking thereof. . . . Some say that he and ye stand both out of the king's good grace, and some say that ye keep him at home for niggardship, and will nothing spend upon him; and so each man says his advice as it pleases him to talk. And I have inquired and said the most cause is in party for cause ye are so much out, that he is rather at home for the safeguard of the coasts.'⁵

The protection of the coast, especially about Yarmouth,

¹ No. 540.

² No. 544.

³ No. 377.

⁴ Nos. 477, 478, 511.

⁵ No. 550.

Sir John
Paston.

A.D. 1463.

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might well be an object in which John Paston was specially concerned, for close to Yarmouth lay Caister Castle. And he had actually procured a commission for his son to be captain of a ship in the king's service, called the *Barge of Yarmouth*. But here again he was brought into collision with Gilbert Debenham, who had already procured a commission to the same effect for himself, and this field of 'usefulness seems to have been cut off.¹ Confinement at home, to superintend his father's servants, did not suit the young man's tastes. Once before he had displeased his father, probably by seeking too much liberty.² He now not only sought it, but took it without leave. Without signifying his intention to any one, he stole away from Caister, apparently with the view of joining himself again to the king's household. In passing by Lynn, he wrote a penitent letter to his mother, expressing his fear that he had done wrong, and given her uneasiness. And, in truth, she was by no means pleased; for hitherto in their little disagreements she had stood between him and his father, and now her own past efforts at conciliation caused his father to suspect that she had been privy to his escape. If on any occasion Margaret Paston ever deceived her husband, it must have been for the sake of shielding one of her sons; but we are not warranted in believing even this. The imputation in this instance was certainly untrue; but so great was the offence taken by the father, that she durst not even let him know that she had received a letter from her son since his departure. She, however, wrote to the runaway, and charged him, as he valued her blessing, to do all in his power to recover his father's goodwill. He must write to his offended parent again and again in the most humble terms he could think of, giving him all the news from court, and taking far more pains than he had done at home to avoid incurring expenses.³

He leaves home.

John Paston the youngest.

For his second son John's setting out in life, the father had made better provision than for his eldest. He had succeeded in getting him placed in the household of the new Duke of Norfolk, the last of the Mowbrays, who succeeded his father

¹ Nos. 521-3.

² Nos. 375, 377.

³ No. 552.

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towards the close of the year 1461, the first year of King Edward's reign. It was the preceding duke who had occupied Caister just before the coronation; but he died on the 6th November following, at the beginning of Edward's first Parliament, when his son and heir had just attained the age of seventeen.¹ John Paston the father evidently hoped to have the young duke for his friend, and so to maintain himself in undisturbed possession of the lands which he claimed under Sir John Fastolf's will. His son must have been as nearly as possible of the same age as the young nobleman, in whose service he was placed, and he was soon made familiar with the stir and bustle of life. At first he went down with the duke to his castle of Holt, in Wales, where he expected to keep his Christmas. The young duke, who was already married, being desired by the king to repair thither for the quiet of the country, had left his wife behind him, but after a while proposed to send for her to keep Christmas in Wales along with him. This intention, however, he was compelled to abandon. At that very time Queen Margaret had come out of France, and had won the castle of Bamborough: and though Warwick was sent to the north as the king's lieutenant, and the king himself was following with an army of his own, it was shortly afterwards determined that the Duke of Norfolk also should repair into Northumberland. The castles of Alnwick, Dunstanborough, and Bamborough were invested by the royal forces; but it was fully expected the Scots would make a strong attempt to rescue them. The Earl of Warwick's headquarters were at Warkworth, three miles out of Alnwick, but he rode daily to each of the three castles to superintend the siege operations at each. The Duke of Norfolk had the task assigned him to conduct the victuals and ordnance from Newcastle. The king himself lay at Durham; and young John Paston had an opportunity of making acquaintance with a number of influential persons, including the Lord Hastings and Lord Dacres, who had continual access to the presence of their sovereign. Altogether, John Paston the youngest had certainly begun the world well.²

Bam-
borough
Castle
taken by
Margaret
of Anjou.
A.D. 1462.
Oct.

¹ Fabyan. *Inquisition* p. m., 1 Edward IV., No. 46.

² Nos. 532, 533.

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Of the other children of John and Margaret Paston it is unnecessary to say anything at present. At the time of which we now treat there was hardly one of them far advanced beyond childhood ; nor do they, in fact, occupy very much attention even in later years, although we shall meet with casual notices of one or two of them.

Troubles of John Paston

A.D. 1464.
Litigation
touching
Fastolf's
will.

On the whole, though the conduct of one of them had not given him entire satisfaction, the two eldest sons of John Paston had probably both been of some service to their father in maintaining his influence at court. And this must have been a matter of no small consequence in the continued struggle that he was obliged to maintain with adversaries like Yelverton and Jenney. The dispute with them had now assumed another form. Sir William Yelverton, in conjunction with our old friend William Worcester, was contesting in the spiritual court of Canterbury the claim put forward by Paston to be the chief executor under Sir John Fastolf's will ; while at the same time William Jenney, and one William Hogan, by Jenney's procurement, took actions for trespass against him in the Suffolk county court. Paston trusted to his influence with the king to deliver him from these vexatious suits. He neglected to put in an appearance at four several county courts, and allowed himself to be put in exigent, while he followed the king to Marlborough, and obtained from him a licence for the erection of the college at Caister provided for in Fastolf's will. Along with this the king covenanted to give him a free pardon when required for all offences against the peace, to save him harmless against Yelverton and Jenney ; but undertook at the same time to cause inquiry to be made into the substance of their accusations, and if these proved to be unfounded, to compel them to make Paston compensation.¹

Paston had partly trusted to the friendship of William Calthorpe, who was at this time Sheriff of Norfolk and Suffolk, to protect him against outlawry. His servant Richard Calle

¹ Nos. 568-9, 571-2.

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offered surety that Paston would save the sheriff harmless, either by making an appearance at a later date or by producing a *supersedeas*; and he requested that upon this assurance the sheriff would return that his master had appeared the first day. Calthorpe had every wish to do Paston a kindness; though he confessed that Jenney had been his good friend and legal adviser for two years past, Paston was still more his friend than Jenney, and he promised to do all that was required.¹ But this promise he failed to fulfil. Paston's non-appearance was proclaimed at four successive county courts at Ipswich; and a writ of exigent was granted against him. Paston obtained a *supersedeas* from the king at Fotheringay on the 3rd August; but in the end judgment was given against him in Suffolk on the 10th September, and he was proclaimed an outlaw. On the 3rd November following he was committed to the Fleet prison.² John Paston outlawed.

This was his second experience of captivity since the death of Sir John Fastolf. We do not know that he ever suffered it before that time; but he was now paying the penalty of increased importance. His detention on this occasion does not seem to have been of long duration; but if we are right in the interpretation of a sarcastic anonymous letter³ found among his correspondence, his fellow-prisoners threw out surmises when he left that the Fleet would see him yet a third time within its walls. At least, this may or may not have been the purport of what is certainly an ironical and ambiguous epistle addressed to him, we cannot tell by whom. If it was so, the prediction was verified before another twelvemonth had passed away.

How matters went during the winter we have very little indication, except that Paston's friend John Wykes, an officer of the king's household, writes to Margaret Paston on the 7th February from London, 'that my master your husband, my mistress your mother, my master Sir John, Mr. William, Mr. A.D. 1465.
Feb. 7.

¹ No. 572.

² No. 572. Itin. W. Worc., 366. Those who are interested in the subject may be referred to the Year Books of Mich. and Hil. 4 Edw. iv. for pleadings as to the validity of the outlawry and *supersedeas*. These, however, are purely technical and of no interest to the general reader.

³ No. 574.

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Clement, and all their men, were in good health when this letter was written, thanked be Jesu; and also their matters be in a good way, for my Lord Chancellor is their singular good lord.' The crisis in the affairs of the family was certainly very serious, when old Agnes Paston, the judge's widow (for I have never found any other lady spoken of as Margaret Paston's 'mother'), took the trouble to go up to London to see them settled. It appears that there was a little family council on the occasion, and John Paston's two brothers, William and Clement, together with his son Sir John, were also present.¹ What kind of arrangement they all succeeded in making we have no means of ascertaining; but the next occasion of trouble to John Paston was not given by Yelverton and Jenney.

The Duke
of Suffolk
lays claim
to Drayton.

The first indications of it appear in a letter of Margaret Paston to her husband, written on the 8th April 1465, by which we find that the Duke of Suffolk had now set up a claim to Sir John Fastolf's manor of Drayton, about four miles north-west of Norwich. Margaret had also heard that he had bought up the rights of a person named Brytyeff or Bryghtylhed, who laid claim to the neighbouring manor of Hellesdon, a little nearer the city, and that he intended to take possession after Easter.² The claim appears to have been very ill founded, and the tenants, all but one or two, were favourable to Paston.³ Nevertheless Philip Lipyate, the duke's bailiff, began taking distresses, and carried off the horses of one Dorlet as he was about to yoke them to his plough. But Margaret Paston, who had been staying at Caister, after waiting till her son Sir John could come to her, and leaving him to keep the castle, went over to Hellesdon to collect the rents for her husband, and put a stop, if possible, to the proceedings of the duke's officers. She soon began to feel that there was more need of a captain like her son Sir John at Hellesdon than at Caister. One single tenant named Piers Warin gave her servants a little trouble, and they took from him two mares as security for the rent. Warin made his complaint to Philip Lipyate and the duke's bailiff of Cossey,

¹ No. 576.

² No. 578.

³ Nos. 579, 584.

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who came with a body of eightscore men in armour, and took away the plough-horses of the parson and another tenant, intimating that the beasts should not be restored unless their owners would appear and give answer to certain matters at Drayton on the Tuesday following. The duke's men further threatened that if Paston's servants ventured to take any further distresses in Drayton, even if it were but of the value of a hen, they would take the value of an ox in Hellesdon.¹

John Paston, though not at this time in confinement, seems to have been unable to leave London. But it was impossible that he could underestimate the danger in which his property stood from the pretensions of such a formidable neighbour as the Duke of Suffolk. The letters written to him at this period by his wife are annotated all down the margin with very brief rough jottings in his own handwriting, for the most part only calling attention to the subjects touched upon in the letter, but occasionally indicating what he was about to say in his reply. He expressed, indeed, no great respect for the big threats of Suffolk's officers about taking the value of an ox for that of a hen, which he characterised in the margin by the simple monosyllable 'crack'; but he noted, in the brief words 'Periculum Heylesdon,' the fact that there was real cause for anxiety lest the duke, who had already occupied Drayton, should drive him out of Hellesdon as well.²

The Bishop of Norwich had been appealed to, as chief justice of the peace for the county, to use his influence with the Duke of Suffolk's officers, and especially with Philip Lipyate, who was a priest, and subject to his jurisdiction, to bring the dispute to a peaceful settlement. But John Paston probably trusted more to the fact that he had men of his own ready to repel force by force. The parishes of Hellesdon and Drayton are situated on the northern bank of the river Wensum, partly on a low ridge which slopes downward towards the stream. Opposite to Drayton, on the other side of the river, lay the Duke of Suffolk's mansion of Cossey,³

¹ Nos. 579, 581.

² No. 581.

³ Now commonly spelt Costessey, but pronounced, as it is usually spelt in the Paston Letters, Cossey.

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from which, at any time that was thought advisable, an armed band could be sent along with a distraining officer to assert the duke's alleged rights over the tenants. It was really a case of two hostile camps keeping watch upon each other, and each of them ready to take advantage of the other's weakness. Not that either of them pretended to be above the law, but the duke and Paston each claimed to be lawful owner of the lordships of Hellesdon and Drayton, and, until any legal settlement could be come to, each was well aware of the importance of maintaining his claim by corresponding acts. If the duke could levy a distress, so could Paston. His officers made an inroad, undeterred by the menaces of the duke's men, into Drayton, took 77 neat, and brought them home to Hellesdon. The tenants followed, petitioning to have their cattle back again, but Margaret Paston told them they must first pay such duties as they owed to her husband, or find security to pay at such a day as she could agree to. An officer of the duke named Harleston was at Norwich, and told them that if they either paid or gave such surety they should be put out of their holdings. Harleston had a conference with Margaret Paston in the evening, but she refused to redeliver the distress on any other terms than those she had already intimated. This was on a Saturday evening. On Monday following a replevin was served upon her in the name of Harleston, who was under-steward of the duchy of Lancaster, on the ground that the cattle had been taken within the fee of the duchy. Margaret refused to deliver them until she had ascertained whether this was actually the case, and on inquiry she found that it was not so. The beasts were accordingly still detained in Hellesdon pin-fold, and Pynchemore, the officer who had brought the replevin, was obliged to return to his master. But in the afternoon he came again with a replevin under the seal of the sheriff of Norfolk, which it was impossible lawfully to disobey. So the beasts were at last taken out of the pin-fold and redelivered to the tenants.¹

This sort of quasi-legal warfare continued for weeks and

¹ No. 583.

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for months. At one time there would be a lull ; but again it was reported that the duke's men were busier. The duke himself was coming to Cossey, and his servants boasted openly that he would have Drayton in peace and then Hellesdon.¹ And not very long after the duke did come to Norfolk, raising people on his way both in Norfolk and Suffolk,—for an attack, as every one knew, on Paston's stronghold at Hellesdon, which was now placed in the keeping of his son Sir John.²

On Monday the 8th July, Philip Lipyate and the bailiff of Cossey, with about 300 men, came before Hellesdon, but, finding Sir John Paston quite prepared for them, professed they had no intention of attempting to force an entry. For Sir John had a garrison of 60 men within the place, and such a quantity of guns and ordnance that the assailants would certainly have had the worst of it. Lipyate and the bailiff, however, informed Sir John that they had a warrant to attach John Daubeney, Wykes, Richard Calle, and some others. Sir John replied that they were not within, and if they had been he would not have delivered them. Afterwards it was mutually agreed that the Duke of Suffolk should dismiss his men and Sir John Paston should do the same. But this only transferred the scene of action to Norwich, where Richard Calle was attacked by twelve men in the streets and only rescued by the sheriff ; nor did he escape without the pleasant assurance that if he were caught another time he would be put to death, so that he did not dare ride out without an escort. Daubeney and Wykes were in a similar state of apprehension, and to crown all, it was said that there was to be a special commission to inquire of riots, in which the Duke of Suffolk and Yelverton would be commissioners. If so, every man that had taken Paston's part was pretty sure of being hanged.³

Sir John Paston, however, acquired great credit for having withstood so numerous a force as Lipyate and the bailiff of Cossey had brought against him. It will be readily understood that his position must have been a strong one. He and

¹ No. 585.

² No. 592.

³ No. 593.

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his mother were then living at a mansion in Hellesdon, which probably stood on comparatively low ground near the river.¹ But on the brow of the hill, nearer Drayton, stood a quadrangular fortress of which the ruins still exist, known at this day by the name of Drayton Lodge. This lodge lay within what was then called Hellesdon Warren, and commanded the entrance to the property. From its elevated position it must have been peculiarly difficult to attack. The country around was open heath, and the approach of an enemy could be descried distinctly in the distance. From the mansion below, where he had quartered his garrison of 60 men, he could doubtless bring up with ease at any time as many as seemed necessary for the defence of the lodge;² while from the battlements of the lodge a heavy fire could be opened on the advancing foe.³

Living within a house that was threatened with siege, Margaret Paston, at this juncture, seems to have taken an active part along with her son in the preparations for defence. Her husband in London writes to her as a commander-in-chief might do to the governor of a besieged fort:—‘In good faith ye acquit you right well and discreetly, and heartily to your worship and mine, and to the shame of your adversaries : and I am well content that ye avowed that ye kept possession at Drayton and so would do.’ But the task imposed upon her had impaired her health ; and John Paston, though for some potent reasons he was not able even now to come to her aid, was anxious to give her every comfort and encouragement in his power. ‘Take what may do your ease and spare not,’ he says in the same letter ; ‘and in any wise take no thought nor too much labour for these matters, nor set it not so to

¹ At Hellesdon North Hall, the property of Mr. J. H. Gurney, old foundations have been recently discovered, which are in all probability those of John Paston’s house. The place is about 400 yards from Hellesdon Church.

² One day in the beginning of May as many as sixty men were placed in the lodge itself, and kept there all day. At that time an attack was continually expected, but not more than sixteen or twenty persons could sleep in the building. *See* No. 581, at p. 139 (vol. iv.).

³ ‘The ruined Lodge at Drayton’ is the subject of an interesting paper by the late Mr. Henry Harrod in the *Norfolk Archaeology*, vol. ii. p. 363. There are no remains of battlements now, but most probably they once existed.

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your heart that ye fare the worse for it. And as for the matter, so they overcome you not with force or boasting, I shall have the manor surelier to me and mine than the duke shall have Cossey, doubt ye not.' In fact, if it were a question of law, John Paston's title seems to have been greatly superior to any that could possibly have been advanced by the duke: in proof of which he points out a few facts which he tells his wife she may if she think proper lay before the Bishop of Norwich. The manor of Drayton had belonged to a merchant of London called John Hellesdon, long before any of the De la Poles held land in Norfolk or Suffolk. It had descended to his daughter Alice, and John Paston was able to show his title to her property. On the other hand he traced the pedigree of the Duke of Suffolk from 'one William Poole of Hull, which was a worshipful man grown by fortune of the world,' and whose son Michael, the first Earl of Suffolk, had been so created by King Richard II. since Paston's father was born; and if any of their lineage held the manor of Drayton he would lose £100, if the duke would be bound in as much to prove the contrary. But the duke must not expect him to show his title to one who tried to oust him by violence. On this point John Paston was resolute. 'Let my lord of Norwich wit that it is not profitable, nor the common weal of gentlemen, that any gentleman should be compelled by an entry of a lord to show his evidence or title to his land, nor I will not begin that example ne thraldom, of gentlemen nor of other. It is good a lord take sad counsel ere he begin any such matter.'¹

It might have been supposed that after the duke's attempt on Hellesdon, nothing but impediments of the most serious kind would have prevented John Paston from going down to Norfolk to take charge of his own interests and relieve his wife's anxiety. But it appears that he hardly expected to be able to leave London, and in the same letter from which we have just been quoting he desires that if he be not home within three weeks his wife will come to him. In that case she is, before leaving, to put everything under proper rule

¹ No. 595.

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both at Caister and Hellesdon, 'if the war hold.' The state of matters between him and Suffolk was such as could only be spoken of as a state of war, even by plain matter-of-fact John Paston. And if the enemy offered peace his wife was to send him word.

What could have been the obstacle that prevented John Paston leaving London? It appears for one thing that he was at this time called upon to undergo an examination before the spiritual court of Canterbury, in defence of his claim to be Sir John Fastolf's executor. This alone was, perhaps, sufficient to detain him, for it was a thing on which his most important interests depended. But there is no doubt that additional obstacles were raised up for him expressly by the malice of his enemies; for it could not have been many weeks after his first examination that John Paston again found himself a prisoner in the Fleet, and within the walls of that prison his further depositions were taken.¹

John
Paston im-
prisoned a
third time.

It was the malicious ingenuity of Judge Yelverton that had devised the means to inflict upon him this new incarceration. And the means employed were such as to make captivity doubly painful and humiliating. The king's clandestine marriage to Elizabeth Woodville had taken place in May of the preceding year. At Michaelmas it was openly avowed; and if it displeased, as no doubt it did, Warwick and the old nobility, even from the first, it informed a whole world of time-servers and place-hunters that there was a new avenue to fortune in securing the favour of the Woodvilles. Already Rivers had been created Lord Treasurer and advanced to the dignity of an earldom. Already marriages had been made for the queen's brothers and sisters, which were evidently provocative of envy, jealousy, and indignation.² The king's liberality towards his new relations was unbounded, and sycophants were not wanting to suggest to him how he might gratify their cupidity, sometimes at the expense of others than himself. Sir William Yelverton, accordingly, contrived to whisper in the royal ear that the king might fairly dispose of some fine property in Norfolk and Suffolk; for John

¹ No. 606.

² W. Worc. *Annales*, 501, 506.

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Paston, who claimed to be the owner, was come of servile blood, and was really the king's bondman.¹

The reader will remember the curious paper² in which it is set forth that the grandfather and father of John Paston had held lands in the village of Paston, by servile tenures, and that John Paston himself, without having any manor place, was endeavouring to 'make himself a lordship there,' to the prejudice of the duchy of Lancaster. There can be little doubt that this statement was drawn up in the year 1465 and that its author was Judge Yelverton. He had been at this time endeavouring to ingratiate himself with Anthony Woodville, Lord Scales, the queen's brother, and it was in the interest of that nobleman that he made this attempt to asperse the lineage of the Pastons. For Lord Scales had begun to cast covetous eyes on the magnificent castle at Caister; and if it were but satisfactorily shown that John Paston was disqualified from possessing it, no doubt the king, his brother-in-law, would be only too willing to grant it to himself. The case was already prejudged; Caister and the lordship of Cotton as well were his by anticipation, and some time before Paston was committed to prison it was known that Lord Scales meant to ride down into Norfolk and oust him from his property.³

Lord Scales
seeks to
obtain
Caister.

Although John Paston was thus unable to go home, as he wished to do, neither was Margaret Paston able for some time to go up and see him in London, as he had desired her. Wykes, who had promised to keep possession of the place at

¹ *Itm. Will. de Worc.*, 323.

² See pp. 28, 29.

³ No. 598. It appears by the city records of Norwich, an extract from which, kindly communicated to me by the Rev. William Hudson, will be found in the Appendix to this Introduction, that Lord Scales arrived in the city 'a second time' towards the close of the year 1465—apparently just before Christmas day, for the date was within eighteen days of a document dated 10th January, 5 Edward IV.—for the express purpose of taking possession of all the goods and chattels of John Paston, whom the king had seized as his 'native.' This raised an awkward question about the privileges of the city, in which John Paston possessed a house. But the civic authorities found a way out of the difficulty, and agreed that Lord Scales should be allowed to enter by the act of John Paston's feoffees; for it was understood that certain aldermen and common council men were co-feoffees along with him, of the messuage which he held. Thus the city's liberty was theoretically preserved without offence to the higher powers.

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Hellesdon in her absence, did not go down into Norfolk so soon as he had intended, but remained in London taking care of Paston's interests in another fashion in conferences with Nevill, Archbishop of York, at that time Lord Chancellor. Perhaps already the influence of Archbishop Nevill, like that of his brother the Earl of Warwick, had begun to decline, and Wykes was really wasting his labour in complaining to his lordship of the riotous attempt made by the Duke of Suffolk's men at Hellesdon. There was but one pretext on which the outrage could be justified,—a matter concerning the payment of 100 marks, but the money had been paid long ago. His lordship, however, durst swear the Duchess of Suffolk had no knowledge of it; and with that he left town, promising an answer when he came back next Tuesday.¹

But Margaret Paston, though she could not yet come up to London, did not spend the time at home unprofitably. The judges had come down to Norwich on their circuit, when Margaret endeavoured to secure the advantage she had already gained in keeping possession at Drayton by getting a manor court held there in her husband's name. But to do this she required the services of one or more faithful dependants who did not mind incurring a little personal risk in the interest of John Paston. Not many, certainly, were disposed to undertake the task. John Paston had written to his wife to have a body of men to escort the officer that would keep the court for him. But upon consultation it was thought better to keep all the men they could in reserve, as the duke's officers had no less than 500 men ready to take advantage of the opportunity to force an entry into Hellesdon.

Attempt of
Margaret
Paston to
hold a
court at
Drayton.

Thomas Bond and an attached and confidential priest named Sir James Gloys were adventurous enough to go to Drayton alone for the purpose of holding a court on Lammas Day. They found, as might have been expected, that officers of the Duke of Suffolk were there before them. Harleston, along with Philip Lipyate, the parson of Salle, and William Yelverton, a grandson of the judge, who was to sit as steward, were in the courtyard of the manor, prepared to hold the

¹ No. 598.

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court in the Duke of Suffolk's name. They were accompanied by about sixty persons or more, besides the tenants of Drayton, some having rusty poleaxes and bills to enforce respect for the duke's authority. In the face of this array, however, Bond and Gloys announced that they came to keep the court in the name of John Paston; on which the former was immediately delivered into the custody of William Ducket, a new bailiff of Drayton appointed by the duke, and was carried off to Cossey, his arms bound behind him with whiplcord like a thief. But Margaret Paston spoke with the judges next morning before they went to the shirehouse, in presence of the bailiff of Cossey and the whole of the duke's council; and the judges calling the bailiff before them, gave him a severe reproof, and sent the sheriff to see what company had been mustered at Drayton. The sheriff rode first to Hellesdon, and expressed himself satisfied with the demeanour of Paston's men there. When he came to Drayton, the bands of Suffolk's retainers had disappeared. He demanded that Thomas Bond should be delivered to him, and was told that he had been sent to the Duke of Suffolk; but he was afterwards delivered to him at Norwich, with a request that he should not be set at liberty without a fine, as he had troubled the king's leet. The judges, however, on being informed of the real state of the case, commanded him to be set at liberty, and pronounced a very strong censure on the conduct of Suffolk's officers.¹

As for the manors of Caister and Cotton, it does not appear that Lord Scales ever carried out his intention so far as the latter was concerned; nor had he taken possession even of the former some time after John Paston was committed to the Fleet. That occurrence must have taken place about the middle of the month of August,² and towards the end of September we have evidence that Sir John Paston was in Caister Castle keeping possession for his father.³ But the

¹ No. 599.

² On the 18th August Margaret Paston was still hoping that her husband would find it possible to come home himself, and save her the necessity of going up to London to see him. See No. 604. But we know that he was imprisoned before the 28th of the month. No. 606.

³ No. 610 (vol. iv. p. 192).

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Paston family had been warned of the danger, and we may be well assured that they did not neglect the warning in either case. Indeed, the question how to make matters secure at Caister seems to have been the principal difficulty that caused Margaret to delay her journey up to London. As to Cotton, we shall see ere long that very effectual means were taken to secure possession there.

Margaret
Paston
visits her
husband in
prison.

It would appear that when Margaret knew her husband was in prison she determined to delay no longer, but to visit him in London at all costs. Early in September she had already gone to him, and her son, John Paston the youngest, wrote to her from Norwich on the 14th, advising her, among other things, to visit the Rood of North-door (a cross beside St. Paul's Cathedral), and St. Saviour's at Bermondsey, during her stay in the capital. 'And let my sister Margery,' he suggests, 'go with you, to pray to them that she may have a good husband or she come home again.' It is difficult to tell whether this means devotion or sightseeing, jest or earnest. The young man had already seen a good deal of life, and was familiar with the principal attractions of the great city, to which in all probability his mother was as great a stranger as his young sister. Even the dame who had the care of his father's apartments in the prison was not unknown apparently to John Paston the youngest. 'And the Holy Trinity,' he writes, 'have you in keeping, and my fair Mistress of the Fleet.'

John Paston the father does not seem to have been very uncomfortable in prison. He made friends in the place of his confinement, and among other persons became acquainted with Henry, Lord Percy, son of the attainted Earl of Northumberland, who was afterwards restored by King Edward to his father's earldom. His spirits, indeed, if we may judge from his correspondence, were at this time particularly buoyant; for after his wife had taken leave of him to return homeward he wrote her a letter the latter half of which was composed of doggerel rhyme, jesting about having robbed her portmanteau, and referring her for redress to Richard Calle, whose ears he bade her nail to the post if he did not pay her the value. In none of his previous correspondence does he indulge in verse

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or betray anything of this rollicking humour. The only subject on which he even insinuates a complaint is the weather, which seems to have been unnaturally cold for September. He speaks of it satirically as 'this cold winter,' and wishes his wife to send him some worsted for doublets in which to protect himself from the severity of the season. But even in this we can tell that he is jesting, for he explains himself that he wishes to have a doublet entirely composed of the wool manufactured at Worsted, for the credit of his native county. And so far is he from wishing it for the sake of warmth, that he particularly desires to procure a fine quality of worsted 'almost like silk,' of which William Paston's tippet was composed.¹

On her way back to Norfolk, Margaret Paston entered the manor of Cotton and remained in it for three days. She had sent a message to her son John Paston the youngest at Hellesdon to come and meet her there,² and he came along with Wykes and twelve others, whom she had left at her departure to keep possession and collect the rents. It was within a week of Michaelmas Day, when rents fell due. As yet Lord Scales had made no attempt to seize upon this property. Sir Gilbert Debenham had occupied the manor for some years undisturbed, and he was doubtless considerably taken by surprise when he found that a lady on her way home from London had entered and taken possession in the name of John Paston. But when he heard that young John Paston was gathering money of the tenants, he raised a body of 300 men to expel the intruder. Young John Paston was expecting reinforcements to his little band from Caister or elsewhere, but they did not come; so that his position would have been a critical one had not some one been his friend in the household of the Duke of Norfolk. Sir Gilbert was the duke's

¹ No. 609.

² See No. 613. The heading of this letter is unfortunately wrong. Deceived by the facsimile to which Fenn refers as showing the character of the signature, I attributed the letter to Sir John Paston. But Margaret Paston expressly says it was John Paston the younger whom she left at Cotton (No. 610), and this letter must therefore have been written by him. Besides, the writer himself mentions that the dispute with Debenham was referred to the Duke of Norfolk to avoid the scandal of a quarrel between two of his men. It was not Sir John Paston, but his brother, that was in the Duke of Norfolk's service.

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steward, and John Paston the youngest was still in the duke's service. A yeoman of his lordship's chamber represented to that nobleman that there was imminent risk of a quarrel between two of his men, which would be a great 'disworship' to his grace. The duke sent for the two immediately to attend upon him at Framlingham Castle, and proposed to them terms of compromise until the matter could be thoroughly investigated. He desired that neither party should muster men, that the court should be 'continued'—that is to say, adjourned—till he himself should have had an opportunity of speaking both with John Paston the father and on the other side with Yelverton and Jenney, who had conveyed to Debenham the title on which he founded his claim to the manor. Meanwhile he proposed that the place should be kept by some indifferent person to be chosen by both parties.

To these terms John Paston the youngest would not assent without consulting his mother, who had again come over from Norwich, or perhaps from Caister, to see how matters went. But after a conference, they sent an answer to the duke, declaring that they could not give up possession of the place, but out of their anxiety for peace, and to satisfy his lordship, they were willing to desist meanwhile from collecting rents, if the opposite party would engage not to distrain or keep courts there either. To this compromise Sir Gilbert said that he agreed, provided it met with the approval of Yelverton and Jenney; and the Duke of Norfolk, who was going up to London in anticipation of his birthday when he attained his majority, left all the sooner in the hope of bringing this matter to a favourable settlement.¹

Thus far, at least, the entry into Cotton had been a distinct success. The compromise was greatly in favour of the Pastons, for an appeal to force would almost certainly have gone against them, and, though they engaged for the time to abstain from taking more money of the tenants, they had already succeeded in collecting almost all that they expected to receive for Michaelmas term.² So Margaret Paston on her return to Norfolk, and her son, when he was summoned to London

¹ Nos. 613, 614.

² No. 613.

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shortly afterwards, to attend the duke on his coming of age,¹ may each have left Cotton with feelings akin to triumph. But scarcely had the former returned to Norwich when she discovered to her dismay that her clever manœuvre in Suffolk had left the family interests insufficiently protected elsewhere. The Duke of Suffolk had not only a great number of men at Cossey, but he had a powerful friend within the city of Norwich. Thomas Elys, the new mayor, was so flagrantly partial, that he had said at Drayton he would supply my lord of Suffolk with a hundred men whenever he should require them, and if any men of the city went to Paston he would lay them fast in prison.² Hellesdon, unfortunately, lay midway between Cossey and the city of Norwich, and as it was not now assize time there was practically no control over such magnates as the Duke of Suffolk and the mayor. So, on the morning of Tuesday the 15th of October, one Bottisforth, who was bailiff for the duke at Eye, came to Hellesdon, arrested four of John Paston's servants, and carried them off to Cossey without a warrant from any justice of the peace. His intention, he said, was to convey them to Eye prison along with as many more of Paston's adherents as he could lay his hands on. That same day the duke came to Norwich with a retinue of 500 men. He sent for the mayor and aldermen with the sheriffs, and desired them in the king's name to make inquiry of the constables in every ward of the city what men had taken part with Paston in recent gatherings. Any such persons he requested that they would arrest and punish, and send their names to him by eight o'clock on the following day. On this the mayor arrested one Robert Lovegold, brasier, and threatened him that he should be hanged, though he had only been with Margaret Paston at Lammas, when she was menaced by the companies of Harleston and the bailiff of Cossey.³

Scarcely one of Paston's servants now durst openly show himself abroad, and, the duke having the city at his command, his followers made, that same Tuesday, a regular assault on the place at Hellesdon. The slender garrison knew that it was madness to resist, and no opposition was offered. The

Attack on
Hellesdon.

¹ No. 614.

² No. 581.

³ No. 616.

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duke's men took possession, and set John Paston's own tenants to work, very much against their wills, to destroy the mansion and break down the walls of the lodge, while they themselves ransacked the church, turned out the parson, and spoiled the images. They also pillaged very completely every house in the village. As for John Paston's own place, they stripped it completely bare; and whatever there was of lead, brass, pewter, iron, doors, or gates, or other things that they could not conveniently carry off, they hacked and hewed them to pieces. The duke rode through Hellesdon to Drayton the following day, while his men were still busy completing the work of destruction by the demolition of the lodge. The wreck of the building, with the rents they made in its walls, is visible even now.¹

This was carrying things with the high hand; but it did not improve the Duke of Suffolk's popularity at Norwich, and it created no small sympathy with Paston and his tenants. 'There cometh much people daily,' wrote Margaret Paston to her husband, 'to wonder thereupon, both of Norwich and of other places, and they speak shamefully thereof. The duke had been better than a thousand pound that it had never been done; and ye have the more good will of the people that it is so foully done.' Margaret was anxious that the effects of the outrage should be seen before winter came on by some one specially sent from the king to view and report upon the ruin. But no redress was obtained while her husband lived, and even some years after his death his sons petitioned for it in vain.

John Paston's Latter Days

The chagrin and mortification inflicted upon John Paston by an injury like this may not unlikely have contributed to shorten his days. The correspondence is scanty from the end of October 1465 till some time after his death, which occurred in London in May of the following year. We know nothing of the nature of the illness which carried him off; but three

¹ Nos. 616, 617.

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imprisonments in the course of five years, accompanied with a great deal of anxiety about his newly acquired property, the intrigues of lawyers and the enmity of great men, must have exercised a depressing influence even on the stoutest heart. He appears to have been released from prison some time before his death, and was so far well in February that he had a conference in Westminster Hall with William Jenney, who desired at last to come to some agreement with him. But the great lawsuit about Fastolf's will remained still undecided, and he left to his son Sir John an inheritance troubled by a disputed claim. He died on the 21st or 22nd May¹ 1466. His remains were carried down into Norfolk and buried with great magnificence in Bromholm Abbey.² A.D. 1466.

Of his character we see fewer indications than might have been expected in a correspondence extending over more than twenty years, and perhaps we are in danger of judging him too much from the negative point of view. A man of business habits and of little humour, but apparently of elastic spirits and thorough knowledge of the world, he was not easily conquered by any difficulties or overwhelmed by misfortunes. His early experience in that dispute with Lord Molynes about Gresham must have taught him, if he needed teaching, the crookedness of the times in which he lived, and the hopelessness of trusting to mere abstract right and justice for the protection of his own interests. But by unwearied energy, by constant watchfulness, by cultivating the friendship of Sir John Fastolf and the goodwill of the world in general, he succeeded in asserting for himself a position of some importance in his native county. That he was, at the same time, grasping and selfish to some extent, is no more than what we might be prepared to expect; and it would seem there were complaints to this effect even among the members of his own family.³ As a parent he appears to have been somewhat unamiable and cold-hearted. Yet it is mainly to his self-seeking, businesslike character that we owe the preservation of

¹ No. 648. I do not know Fenn's authority for saying it was on the 26th May. Perhaps it is only a misprint.

² No. 637.

³ Nos. 644, 645.

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so valuable a correspondence. He knew well the importance of letters and of documents when rights came to be contested, and he was far more anxious about their security than about all the rest of his goods and chattels.¹

Sir John
Fastolf's
will.

Such being the nature of the man, and his personal history being as we have seen, what are we to say of the dark suspicion thrown upon his conduct in one important matter by his personal enemy Sir William Yelverton, and even by his quondam friend William Worcester? If their contention was true, the great addition made to the fortunes of the Paston family on the death of Sir John Fastolf was only due to a successful forgery. The will on which John Paston founded his claim to Caister, as well as to the manors of Drayton and Hellesdon, Cotton, Calcotes, and the whole of Fastolf's lands in the counties of Norfolk and Suffolk, was denounced by them as a fabrication and not the genuine will of Sir John Fastolf. And we must own that there are many things which seem to make the imputation credible. We have, unfortunately, only a portion of the depositions taken in the lawsuit, and these are entirely those of the adverse party, with the exception of two separate and individual testimonies given in Paston's favour.² We ought, therefore, undoubtedly to be on our guard against attaching undue weight to the many allegations of perjury and corruption against Paston's witnesses, as it is certainly quite conceivable that the interested testimony was on the other side, and it is truly shown in John Paston's own comments upon the evidence that the proofs given were insufficient. But, on the other hand, it is a very suspicious circumstance that a will drawn up by Fastolf on the 14th June before his death, was altered on the 3rd November so as to confer special powers in the administration to John Paston and Thomas Howes, and to give a large beneficiary interest to the former.³ It is also singular that there should be three separate instruments of this latter date, each professing to be Fastolf's will.⁴ And it by no means tends to allay suspicion when we find that two years after John Paston's death, and very shortly before his own, the parson Thomas Howes, a

¹ No. 649.

² Nos. 541, 543.

³ No. 385.

⁴ Nos. 385-387.

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Grey Friar, and partner with him in the principal charge of the administration of the alleged last will, made a declaration 'for the discharge of his conscience' that the document was a fabrication.¹

This evidence might seem at first sight decisive and extremely damaging to the character of John Paston. But even here we must not be too precipitate in our conclusion. It is, for one thing, fairly open to remark that if this subsequent declaration of Sir Thomas Howes was an impeachment of Paston's honesty, it was no less so of his own; so that it becomes a question whether he was more honest at the time he was acting in concurrence with Paston or at the time of his professed repentance when he made this declaration. But on the whole we may admit that the latter alternative is more probable, and we frankly own it as our belief that Sir Thomas Howes, in his latter days, felt scruples of conscience with regard to the part he had taken in defending for his master Paston the validity of what, after all, he considered to be a questionable document. Yet what are we to say, in this case, to the testimony of another Grey Friar, our old friend Dr. Brackley, who had drawn up the final agreement between Fastolf and Paston relative to the college, got it engrossed on indented parchment, read it to Sir John, and saw him put his seal to it?² It was Brackley's dying testimony, when he was shriven by Friar Mowth, and informed that there were serious imputations on his conduct in reference to this matter, that as he would answer before God, in whose presence he was soon to appear, the will which John Paston produced in court was the genuine will of Sir John Fastolf. This testimony, too, he repeated unsolicited when, after seeming to rally for a day or two, he sank again, and saw himself once more in the presence of death.³ Truly, if it seem hard to doubt the declaration of Sir Thomas Howes, it is harder still to cast suspicion on Brackley's dying evidence.

The true explanation of these discrepancies may, however, involve less serious charges against the character either of Paston, Brackley, or Howes than would at first sight appear

¹ No. 689.

² No. 606 (vol. iv. pp. 183-4).

³ No. 666.

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inevitable. The question was not really one about the authenticity of a document, but about the exact nature of a dying man's will. The document avowedly had not Fastolf's signature attached; it seems that he was too ill to write. For some years before his death I do not find Fastolf's own signature attached to any of his letters. The point in dispute was whether it really represented Fastolf's latest intentions as to the disposal of his property. True, it bore Fastolf's seal of arms, which Yelverton and Worcester at first endeavoured to prove must have been affixed to it after his death. But Paston seems to have shown most successfully that this was impossible, as Fastolf's seal of arms was at his death contained in a purse sealed with his signet, and the signet itself was at that time taken off his finger, and sealed up in a chest under the seals of several of the executors.¹ Moreover, Paston's statements went to show that the terms of the will were settled in various conferences with Sir John during the months of September, October, and the beginning of November, and that corrections had been made in it by his express desire. With all this, however, it may have been a delicate question whether the latest corrections were truly in accordance with Fastolf's mind, and doubts may have been fairly entertained on the subject by Sir Thomas Howes; especially when we consider that on the day the will was dated Fastolf was utterly unable to speak articulately, so that no one could hear him without putting his ear close to the mouth of the dying man.² With regard to John Paston's part in the matter, he was not present when Fastolf's seal was put to the document, so that the validity of that act rested entirely upon the testimony of others, particularly Dr. Brackley. And as to the charge of his 'fabricating' the will, it was never denied that he drew it up, or took a considerable part in doing so; the only question is how far he did so in accordance with Sir John Fastolf's own instructions.

Some important matters of fact, indeed, were asserted by Paston in support of his case, and contested by the opposite

¹ No. 606 (vol. iv. p. 183).

² No. 565 (vol. iv. p. 104); No. 639 (vol. iv. p. 240).

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side. Among other things, it was contended that in the autumn of the year 1457, two years before his death, Sir John Fastolf had actually made estate to John Paston of the manor of Caister and other lands in Norfolk, and thereupon given him livery of seisin with a view to the foundation of the college :¹ also that the will made in 1459 was an imperfect document, in which no executors were named, and to which no seal was attached.² If these allegations were true, there was, after all, no great alteration in Sir John's intentions during the last two years of his life. On the other hand, Sir Thomas Howes, in his later declaration, asserts that only a year before Fastolf's death he had, at Paston's desire, urged Sir John to allow Paston to buy three of his manors and live in his college ; at which proposition the old knight started with indignation, and declared with a great oath, 'An I knew that Paston would buy any of my lands or my goods, he should never be my feoffee, nor mine executor.' But even Howes acknowledges that he was willing to allow Paston a lodging for term of his life within the manor of Caister.³

The whole controversy affords certainly an admirable illustration of the inconvenient state of the law before the passing of the Statute of Uses in the days of Henry VIII. The hearing of all causes touching the wills of dead men belonged to the spiritual courts of the Church, which did not own the king's jurisdiction. The king's courts, on the other hand, had cognisance of everything affecting real property. No lands or tenements could be bequeathed by will, because the courts of common law would not give effect to such an instrument. But legal ingenuity had found the means to enable wealthy persons to bequeath their lands as well as their goods to whomsoever they pleased. A man had only to execute a conveyance of his lands to a body of trustees, who thereupon became in law the owners, express provision being made at the same time that they were to hold it for his use so long as he lived, and after his death for the use of certain other persons named in his will, or for such purposes as might therein be

¹ Vol. iii. No. 386 ; vol. iv. Nos. 541, 606 (p. 183), 639 (p. 237).

² No. 606, p. 182 (vol. iv.). ³ No. 689.

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indicated. By this indirect means a title in lands was very effectually conveyed to a legatee without any abatement of the original owner's control over his own property so long as he lived. But the practice gave rise to a multitude of inconveniences. Private bargains, legal quibbles and subtleties, crafty influences brought to bear upon dying men, great uncertainty as to the destination of certain properties, were among its frequent results. At the very last moment, when the dying man, perhaps, was in imperfect possession of his faculties, mere words, or even a nod or sign, might affect the title to very large estates. And almost by the very nature of the case, wherever a trust was instituted like that of Sir John Fastolf, all the pettifogging devices of legal chicanery were necessarily brought into play, either to establish a title or to contest it.¹

Sir John Paston

Sir John Paston now stepped into his father's place, as heir to Caister and to Fastolf's other possessions in Norfolk and Suffolk. But before he could vindicate his rights in any part of them it was necessary that he should wipe out that stain upon his pedigree which had been devised by calumny in bar of the claims made by his father. The case came before the king himself in council. An array of court rolls and other ancient records was produced by the family, to show that they had been lords of the soil in Paston from a very remote period. Some of their title-deeds went back as far as the reign of Henry III., and it was shown that their ancestors had given lands to religious houses in that reign. Indeed, so little truth was there in the imputation that John Paston the father was a bondman, that his ancestors, certainly by the mother's side if not by the father's also, had been the owners of bondmen. The evidences were considered satisfactory, and the family were declared by the king's council to be fully cleared of the imputation. The lands, of which Lord Scales had taken

¹ See the preamble to the Statute of Uses, 27 Henry VIII. c. 10.

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possession for about half a year,¹ were restored to Sir John Paston by a warrant under the king's signet, dated on the 26th July, little more than two months after the death of John Paston the father.²

After this Sir John Paston was much at court, and Lord Scales became his special friend. Even as early as the following April we find Sir John taking part in a tournament at Eltham, in which the king, Lord Scales, and himself were upon one side.³ But the favour with which he was regarded at court both by the king and the Lord Scales appeared more evidently one year later, when the king's sister Margaret went over to the Low Countries to be married to Charles, Duke of Burgundy. This match had been more than a year in contemplation, and was highly popular in cementing the friendship of England and Burgundy in opposition to France. On the 1st May 1467 a curious bargain or wager was made by Sir John Paston as to the probability of its taking effect within two years.⁴ But on the 18th April 1468 he received a summons from the king to be prepared to give his attendance on the princess by the 1st June following, and to accompany her into Flanders.⁵ Not only he, but his brother John Paston the younger, crossed the sea in the Lady Margaret's train; and we are indebted to the latter for an interesting account of the marriage and of the tournaments which followed in honour of it. Young John Paston was greatly struck with the splendour of the Burgundian court. He had never heard of anything like it, he said, except the court of King Arthur.⁶ But his brother seems to have found another attraction abroad which fascinated him quite as much as all the pageants and the tournaments in honour of the Lady Margaret.

There lived, probably in the town of Calais, a certain Mrs. Anne Haute, a lady of English extraction and related to Lord Scales, whom Sir John Paston seems on this occasion to have met for the first time. Having been perhaps all her life

¹ *Itin. W. Worc.*, 323, where it is said that Lord Scales 'custodivit hospiciū in Castre per spacium dimidii . . .' The blank must surely be supplied by the word *anni*.

² Nos. 641, 643.

⁵ No. 683.

³ No. 665.

⁴ No. 667.

⁶ No. 684.

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abroad, she appears to have had an imperfect command of the English language; at least Sir John, in proposing to open a correspondence, wrote to her, 'Mistress Annes, I am pfound that ye can read English.' For the rest we must not attempt to portray the lady, of whose appearance and qualities of mind or body we have no account whatever. But perhaps we may take it for granted that she was really beautiful; for though Sir John was a susceptible person, and had once been smitten before, his friend Daverse declared him to be the best chooser of a gentlewoman that he knew.¹ It is a pity that with this qualification his suit was not more successful. It went on for several years, but was in the end broken off, and Sir John Paston lived and died a bachelor.

A troubled inheritance.

But Sir John was heir to the troubles of a lawsuit, and his property was continually threatened by various claimants both at Hellesdon and at Caister. His mother writes to him on one occasion that Blickling of Hellesdon had come from London, 'and maketh his boast that within this fortnight at Hellesdon should be both new lords and new officers. And also this day Rysing of Fretton should have heard said in divers places, there as he was in Suffolk, that Fastolf of Cowhaw maketh all the strength that he may, and proposeth him to assault Caister and to enter there if he may, insomuch that it is said that he hath a five-score men ready, and sendeth daily espies to understand what fellowship keep the place.' For which reason Margaret Paston urges her son to send home either his brothers or Daubeney to command the garrison, for, as he well knew, she had been 'affrayed'² there before this time, and she could not 'well guide nor rule soldiers.'³ Another time it is intimated to Sir John that the Duchess of Suffolk means to enter into Cotton suddenly at some time when few men should know what she is going to do.⁴ And this intention she seems to have fully accomplished, for in the beginning of the year 1469 the Earl of Oxford sends Sir John a friendly warning that she means to

¹ No. 660.

² That is to say, menaced, if not attacked, an 'affray' being made upon her. It is curious to meet here our familiar word 'afraid' in its original form and signification.

³ No. 671.

⁴ No. 690.

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hold a court there next Monday with a view to proving that the manor of Cotton Hemnales is holden of her by knight's service.¹ So that altogether Sir John Paston's inheritance was held by a very precarious tenure, and his mother, like a prudent woman, advises him 'not to be too hasty to be married till ye were more sure of your livelode.'²

The old dispute with the executors, however, was compromised in the court of audience: and the Archbishop of Canterbury, Bishop Waynflete, and Lord Beauchamp granted to Sir John full right in the manor of Caister, and a number of other lands both in Norfolk and Suffolk.³ Sir John soon afterwards conveyed a portion of the Suffolk property called Hemnales in Cotton and the manor of Haynford to the Duke of Norfolk and others.⁴ William Worcester became friends with John Paston's widow, imputed his old misunderstanding with her husband to the interference of others between them, and expressed himself well pleased that Caister was to be at her command. 'A rich jewel it is at need,' writes Worcester, 'for all the country in time of war; and my master Fastolf would rather he had never builded it than it should be in the governance of any sovereign that would oppress the country.' At the same time it seemed very doubtful whether Fastolf's intention of founding the college there could be carried out, and Worcester had some conferences with Sir John Paston about establishing it at Cambridge. Bishop Waynflete had already proposed doing so at Oxford; but Cambridge was nearer to the county of Norfolk, and by buying a few advowsons of wealthy parsonages an additional foundation might be established there at considerably less cost than by the purchase of manors. In this opinion Sir John Paston and William Worcester coincided, and the former promised to urge it upon Bishop Waynflete.⁵

Sir John Paston had now some reason to expect that with the settlement of this controversy he would have been left for life in peaceful possession of Caister. That which his father

¹ No. 696.

² No. 704.

³ No. 675. The deed, perhaps, was found to be irregular afterwards, for its general effect was confirmed about five months later by another instrument. No. 680.

⁴ No. 677.

⁵ No. 681.

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Sir
Thomas
Howes
unites with
Yelverton,

had not been able to attain was now apparently conceded to him : and even if Sir William Yelverton was still dissatisfied, the other executors had formally recognised his rights in the court of audience. But before many months had passed it appeared that Yelverton could still be troublesome, and he found an ally in one who had hitherto been his opponent. Sir Thomas Howes was probably failing in health—for he seems to have died about the end of the year 1468¹—when he made that declaration ‘for the discharge of his conscience’ to which we have already alluded. Scruples seem to have arisen in his mind as to the part he had taken with Sir John Paston’s father in reference to the administration of Fastolf’s will, and he now maintained that the will nuncupative which he himself had propounded along with John Paston in opposition to an earlier will propounded by Yelverton and Worcester, was a fabrication which did not truly express the mind of the deceased. We may observe, though the subject is exceedingly obscure, that of the three wills² printed in Volume III., each of which professes to be the will of Sir John Fastolf, the third, which is in Latin, is clearly a will nuncupative declaring the testator’s mind in the third person, and defining the powers of the executors in regard to his goods and chattels.³

It was apparently this nuncupative will that Howes declared to be spurious. The validity of the others touching his lands depended upon the genuineness of a previous bargain made by Fastolf with John Paston, which was also disputed. But it was the nuncupative will that appointed ten executors and yet gave John Paston and Thomas Howes sole powers of administration, except in cases where those two thought fit to ask their assistance. This will seems to have been drawn up mainly by the instrumentality of one Master John Smyth, whom Howes

¹ See preliminary note to No. 703.

² Nos. 385-7.

³ The other two have relation to his lands, and are not inconsistent with each other ; but the first is drawn up in the name of the testator himself, while the second speaks of him in the third person. The second is, in fact, a note of various instructions given by the testator in reference to his property on the 2nd and 3rd days of November before he died, and its contents may have been fully embodied in the first, when the will was regularly drawn up ; but the first is printed from a draft which is probably imperfect.

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afterwards denounced as 'none wholesome counsellor.'¹ Howes now combined with Yelverton in declaring it to be spurious.²

The result of this allegation was that Yelverton and Howes took it upon them, as executors of Sir John Fastolf, to recommend to Archbishop Bouchier that the Duke of Norfolk should be allowed to purchase the manor of Caister and certain other lands in Norfolk, and that the money received for it should be spent in charitable deeds for the good of Fastolf's soul. The transaction was not yet completed,³ but the duke immediately proceeded to act upon it just as if it were. He did not, indeed, at once take possession of the place, but he warned the tenants of the manor to pay no money to Sir John, and his agents even spoke as if they had the king's authority. On the other hand, Sir John had the support of powerful men in the king's council—no less persons than the great Earl of Warwick and his brother, the Archbishop of York, who had lately been Lord Chancellor, and was hoping to be so again. The Earl of Warwick had spoken about the matter to the duke even in the king's chamber, and the archbishop had said, 'rather than the land should go so, he would come and dwell there himself.' 'Ye would marvel,' adds the correspondent who communicates the news to Sir John Paston, 'ye would marvel what hearts my lord hath gotten and how this language put people in comfort.' It had its effect upon the Duke of Norfolk, who saw that he must not be too precipitate. He was urged on, it seems, by the duchess his wife, but he would go and speak to her and entreat her.⁴

and they
sell Caister
to the
Duke of
Norfolk.

Arch-
bishop
Nevill.

On the other hand, Yelverton and Howes seem to have been pretty confident that my Lord of York would not be chancellor again unless their bargain with the duke was ratified. The Nevills were no longer regarded with favour at court. The coolness which had existed between the king and Warwick ever since the marriage with Elizabeth Woodville had last year come to an open rupture, and the Archbishop of York had

¹ No. 681.

² Nos. 688-9.

³ 'The bargain is not yet made,' says an anonymous writer on the 28th October. See No. 690. Nevertheless an ostensible title had been conveyed to the duke by a formal document on the 1st October. See No. 764.

⁴ Nos. 688, 690.

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been at the same time dismissed from the office of chancellor. Soon after the new year a reconciliation was effected through the medium of private friends, and the archbishop conducted his brother the Earl of Warwick to the king at Coventry.¹ But real confidence was not restored, and party spirit was anxious that it never should be. Nor could the public at large, perhaps, imagine the deep grounds of distrust that Warwick had already given to his sovereign.

Sir John Paston, nevertheless, was advised to put his trust chiefly in the friendship of the Nevills and in the probable reinstatement of the archbishop as Lord Chancellor. Another means, however, was not to be neglected. Sir Thomas Howes might be gammoned, or bullied, or got over in some way. He and Yelverton did not agree so well that it need be a very hard matter to separate them. Sir John's friends hoped to secure for him the good offices of the Bishop of Ely and a certain Master Tresham, who, it was thought, could put it nicely to Sir Thomas Howes half in jest and half in earnest, putting him 'in hope of the moon shone in the water,' and telling him that such efforts were made 'that either he should be a pope, or else in despair to be deprived *de omni beneficio ecclesiastico* for simony, lechery, perjury, and double variable peevishness, and for administering without authority.' Such were a few of the humours of the controversy.²

Sir John
'wages'
men.

A.D. 1469.

Better, however, than the friendship of the great, was the security to be derived from keeping Caister well guarded; and Sir John Paston immediately set about 'waging' men to add to the little garrison.³ With this he seems to have been much occupied from November till January following, when by repeated letters from the king he was commanded to desist from making any assembly of the lieges, and to appear personally before the council at Westminster.⁴ The matter, apparently, was hung up for a time without any decision being come to by the council. The friendship of Archbishop Nevill could have done little to recommend the cause of Sir John Paston to the king. On the other hand, if favour had anything to do with the result, his cause was warmly advocated by

¹ W. Worc., 512-13.

² No. 690.

³ No. 691.

⁴ No. 698.

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Lord Scales, the king's own brother-in-law, on account of Sir John's intended marriage with his kinswoman, Anne Haute.¹ And it is certain that Judge Yelverton had conferences with Lord Scales in the hope of coming to some kind of understanding. But King Edward, as we have already said, had a real desire to be impartial in the disputes and quarrels of his subjects; and doubtless it was from a feeling of this that Sir John Paston and his mother rejoiced to hear that it was the king's intention to visit Norwich in the course of the ensuing summer. The rumour of this intention, it was believed, had a powerful influence in inducing the Duchess of Suffolk to remain at her family seat at Ewelme, in Oxfordshire, that she might be out of the way if sent for by the king, and plead age or sickness as her excuse.² The attempt made by her son to dispossess Sir John Paston at Hellesdon could best be judged of on the spot. And in Norfolk, too, the king would learn what was thought of the Duke of Norfolk's claim to Caister.

So it was hoped that the king's presence in the county would tell most favourably on Sir John Paston's interests. And there was one circumstance in particular of which advantage might be taken. As Edward was to go from Norwich on pilgrimage to Walsingham, his way would of necessity lie through Hellesdon and Drayton. The lodge whose walls the Duke of Suffolk had caused to be broken down could hardly fail, from its conspicuous position, to meet his eye, and perhaps some friend in the king's suite could be got to call his attention to it and tell him the story of the outrage. This Thomas Wingfield engaged to do, and promised to get the king's own brother, the Duke of Gloucester, to join him in pointing out the ruin. Promises were also obtained from Earl Rivers, the queen's father, and from her brother Lord Scales and Sir John Woodville, that they would urge the king to command the Dukes of Norfolk and Suffolk to forbear claiming title to the lands of Sir John Fastolf. And by the time the king took his departure from Norwich the Pastons were encouraged to believe that steps had already been taken to end their controversy with one if not with both dukes. Unfortunately the

¹ Nos. 704, 706, 707.

² No. 704.

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belief, or at least the hope that it gave rise to, proved to be utterly unfounded.¹

The
ruined
lodge is
shown to
the king.

The king rode through Hellesdon Warren on his way, as it had been expected that he would do. The ruined lodge was pointed out to him by William Paston, Sir John's uncle; but his answer was altogether at variance with what the Woodvilles had led them to expect. The king said the building might have fallen by itself, and if it had been pulled down, as alleged, the Pastons might have put in bills at the session of *Oyer and Terminer* held by the judges when he was at Norwich. William Paston replied that his nephew had been induced to hope the king himself would have procured an amicable settlement with both the dukes, and therefore had forborne to vindicate his rights by law. But the king said he would neither treat nor speak for Sir John, but let the law take its course.²

Civil War—Public and Private

Robin of
Redes-
dale's
rebellion.

Possibly on the eve of his departure from Norwich, the king had heard news which took away all disposition he might once have entertained to hear personally complaints against such noblemen as the Dukes of Norfolk and Suffolk. It was just about the time of the insurrection of Robin of Redesdale in Yorkshire—a movement got up under fictitious names and really promoted by the discontented Earl of Warwick. From the day that Edward IV. had announced himself a married man, and disconcerted the subtle promoters of an alliance with France through the medium of the French king's sister-in-law, Bona of Savoy,³ the Earl of Warwick had not only lost his old

¹ No. 716.

² *Ibid.*

³ The story that the Earl of Warwick had gone to France to negotiate the marriage of Edward with Bona of Savoy, when Edward frustrated his diplomacy by marrying Elizabeth Woodville, is certainly not in accordance with facts. But the doubts of some modern historians that the project of such a match was ever entertained are quite set at rest by the evidence of two letters which have been recently printed in some of the publications of the Société de l'Histoire de France, to which attention is called by Mr. Kirk in his *History of Charles the Bold* (vol. i. p. 415 note, and ii. p. 15 note). It appears that although the earl had not actually gone to France, he was expected there just at the time the secret of the king's marriage was revealed. Nor can there be a reasonable doubt—indeed there is something like positive evidence to

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ascendency in the king's councils, but had seen his policy altogether thwarted and his own selfish interests continually set aside. He had been from the first in favour of an amicable compromise of the dispute with France, while the young king owed not a little of his popularity to the belief that he would maintain the old pretensions of England, and vindicate them if necessary upon the field of battle. Disappointed of one mode of promoting a French alliance, he had been disappointed still further in 1467, when the king, to humour his inclinations for a while, sent him over to France on embassy. The result was that he was magnificently entertained by Louis xi., captivated by the bland familiarity of the French monarch, and became for ever after his most ready and convenient tool. If he had anything to learn before in the arts of diplomacy and statecraft, he came back from France a most accomplished scholar. Edward, however, pursued a course of his own, treated the French ambassadors in England with rudeness, and cultivated instead a close alliance with Burgundy, the formidable rival and lately the enemy of Louis. He contracted his sister Margaret to the Duke of Burgundy's eldest son, Charles, Count of Charolois, who became duke himself in the following year, when the marriage was solemnised at Bruges with a splendour no court in Europe could have rivalled. To crown all, he announced in Parliament just before the marriage an intention to invade France in person.¹

The Earl of Warwick dissembled. Charles of Burgundy was the man he hated most,² but he conducted the Princess Margaret to the coast on her way to Flanders. A number of personal wrongs and disappointments also rankled in his breast, and gave birth to sinister projects for gratifying a wounded ambition, and taking revenge upon an ungrateful king, who owed it in no small degree to himself that he was king at all. As yet Edward was without an heir-male. He had two

prove—that the first cause of the Earl of Warwick's alienation from the king arose out of this matter. I ought to add that the merit of placing before us for the first time a clear view of the consequences of Edward iv.'s marriage, in its bearing alike on the domestic history of England and on Edward's relations with France and Burgundy, is due to Mr. Kirk.

¹ W. Worc., 513-14.

² *Contin. of Croyland Chronicle*, p. 551.

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daughters ;¹ but in the succession a brother might perhaps be preferred to a female. Warwick could marry his eldest daughter to George, Duke of Clarence, and encourage that vain prince in his expectation of the crown. The earl was governor of Calais. At midsummer in the year 1469 the Duke of Clarence stole across the sea without the leave of his brother, and landed in a territory where Warwick was like an independent king. There the wedding was celebrated by the Archbishop of York, the Earl of Warwick's brother. Soon after it was over, the duke, the earl, and the archbishop returned to England.

And now it was that the king, after leaving Norwich and visiting the famous shrine at Walsingham, found himself compelled to turn his steps northwards and face the insurrection that had been secretly stirred up by Warwick and his own brother. It appears by the Privy Seal dates that he had reached Lynn on the 26th June.² He passed on through Wisbeach with a company of two hundred horse to Crowland Abbey, where he stayed a night, and sailed from thence through the fenny country up the Nen to his father's castle of Fotheringay, one of his own favourite residences.³ From thence, when a number of troops had flocked to his standard from all parts of the kingdom, he marched northwards to Nottingham ; where, apparently, he learned, to his no little mortification, that his brother Clarence was in alliance with the Earl of Warwick and Archbishop Nevill, and that it was questionable whether they had not too good an understanding with the rebels in the North. That such was the actual fact we know to a certainty. The insurgents disseminated papers complaining that the kingdom was misgoverned, in consequence of the undue influence of the queen's relations and one or two other councillors, who had impoverished the crown by pro-

¹ The two eldest daughters of Edward IV. were born in the years 1465 and 1466 ; the third, Cecily, in the latter end of 1469. See Green's *Princesses*, vol. iii. ; also an article by Sir Frederic Madden, in the *Gentleman's Magazine* for 1831 (vol. ci. pt. i., p. 24).

² He seems to have left Norwich on the 21st. There are Privy Seals dated on that day, some at Norwich and some at Walsingham.

³ *Contin. Chron. Croyl.* p. 542.

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curing large grants of crown lands to themselves, and who had caused the king to tamper with the currency and impose inordinate taxes. Worst of all, they had estranged the true lords of the king's blood from his secret council, and thereby prevented any check being placed on their rapacity and misconduct.¹

The Duke of Clarence, with Warwick and the archbishop, had no sooner landed from Calais, than copies of these manifestoes were laid before them, which they took it upon them to regard in the light of a petition calling upon the lords of England generally, and themselves in particular, to redress the evils of the state. They declared the petition just and reasonable, promised to lay it before the king, and by a proclamation under their signets, dated the 12th day of July, called upon all who loved the common weal to meet them at Canterbury on Sunday following, armed and arrayed to the best of their power.² Three days before the date of this proclamation, the king at Nottingham had addressed letters to the duke, earl, and archbishop separately, desiring credence for Sir Thomas Montgomery and Maurice Berkeley, and expressing a hope that the current rumour as to their intentions was erroneous.³ A hope altogether vain. The king was surrounded with enemies, and no plan of action could be arranged among his friends. Herbert, Earl of Pembroke, whom he had summoned from Wales, met at Banbury with Humphrey, Lord Strafford of Southwick, lately created Earl of Devonshire,⁴ who came out of Devonshire to do battle with the rebels. But the two leaders had a dispute about quarters; the Earl of Devonshire withdrew eight or ten miles back; and Sir William Conyers, the rebel captain, who had adopted the name Robin of Redesdale, came down upon the Earl of Pembroke and defeated him with great slaughter. The earl himself and his brother Sir Richard Herbert were taken prisoners, and were shortly afterwards put to death at Coventry, along with

Battle of
Hedge-
cote, 26th
July.

¹ See the petition printed by Halliwell in his notes to *Warkworth's Chronicle*, pp. 47-51.

² See the proclamation immediately preceding the above petition in the notes to *Warkworth's Chronicle*, pp. 46-7.

³ No. 719.

⁴ No. 714.

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The king
taken
prisoner.

Lord Rivers and his son Sir John Woodville, who were about the same time captured in the Forest of Dean in Gloucestershire. They had parted from the king in alarm before he came to Nottingham, and fled for safety towards Wales; but their flight was to no purpose. Before their execution—apparently some time during the month of August—the king himself was taken prisoner near Coventry by the confederate lords, and led to Warwick Castle; from which place he was, soon after his committal, transferred to Middleham, another castle of the Earl of Warwick, in Yorkshire.¹

He was shortly afterwards released, and arrived in London in the beginning of October. It was not easy to say what to do with such a prisoner, and Warwick thought it best to let him go. He had done enough for the present to show his power and wreak his revenge upon the Woodvilles; and Edward, even when he was set at liberty, saw clearly that prudence required him to forget the affront and not show himself in any way offended.²

Siege of
Caister,
A.D. 1469,
Aug.

But what kind of order could have prevailed throughout the kingdom at a time when the king was a captive in the hands of his own subjects? For the most part we know nothing of the facts, but perhaps we may judge to some extent from what took place in a small corner of the county of Norfolk. On Monday the 21st August,³ the Duke of Norfolk began to lay a regular siege to Caister Castle. Sir John Paston was at the time in London, and his brother John kept the place as his lieutenant. At first the duke sent Sir John Heveningham, a

¹ *Contin. Chron. Croyl.* pp. 542, 551. There are Privy Seals dated on the 2nd August at Coventry, on the 9th, 12th, and 13th at Warwick; and on the 25th and 28th at Middleham.

² No. 736.

³ At least William Worcester, in his *Itinerary*, p. 321, seems to indicate in very bad Latin that the siege began on the Monday before St. Bartholomew's Day, which in 1469 would be the 21st August. Yet a very bewildering sentence just before would imply that the siege began either on the Feast of the Assumption of the Virgin (15th August) or on St. Bartholomew's Day itself (24th August), and that it lasted five weeks and three days. But we know that the castle surrendered on the 26th September, so that if the duration of the siege was five weeks and three days it must have begun on the 19th August, a different date still. William Worcester's habit of continually jotting down memoranda in his commonplace books has been of very great service to the historian of this disordered epoch; but his memoranda reflect the character of the times in their confusion, inconsistency, and contradictions.

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kinsman of Sir John Fastolf, to demand peaceable entry, on the ground that he had bought the manor from Fastolf's executor Yelverton; but on being refused admittance, he surrounded the castle with a body of 3000 men.¹ Those within were not wholly unprepared. They had rather more than a month's supply of victuals and gunpowder, but they were only a handful of men. Sir John Heveningham, who was appointed by the duke one of the captains of the besieging force, had hitherto been friendly to the Paston family. He came and visited old Agnes Paston at Norwich, and Margaret Paston thought he might be induced to show a little favour to messengers coming from herself or her son Sir John. But this he steadily refused to do, and made a very suspicious suggestion for the settlement of the controversy, which he requested Margaret to write to her son Sir John in London. Could not the duke be allowed to enter peaceably on giving surety to Sir John to recompense all wrongs, if the law should afterwards declare the right to be in him? 'Be ye advised,' wrote Margaret, 'what answer ye will give.'²

Other proposals were shortly afterwards made on the duke's behalf, nearly the same in character but with somewhat greater show of fairness. The place, it was suggested, might be put in the keeping of indifferent parties, who would receive the profits for the benefit of whoever should prove to be the true claimant until the right could be determined, the duke and Paston both giving security not to disturb these occupants in the meanwhile. But who could be relied upon as indifferent, or what power existed in the kingdom to secure impartiality at a time when the king himself was a prisoner in the hands of his enemies? Margaret Paston could but forward these suggestions to her son, with a warning to lose no time in making up his mind about them. 'Send word how ye will be demeaned by as good advice as ye can get, and make no longer delay, for they must needs have hasty succour that be in the place; for they be sore hurt and have none help. And if they have hasty help, it shall be the greatest worship that ever ye had. And if they be not holpen it shall be to you a great disworship;

¹ *Ilin. W. de Worc.*, 325.

² No. 720.

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and look never to have favour of your neighbours and friends but if this speed well.’¹

Unfortunately the only relief which Sir John Paston had it easily in his power to obtain for the garrison was not in the shape of succours. Sir John was in London, and did not know for certain how long they had the power to hold out. But he addressed his complaints to the Duke of Clarence and Archbishop Nevill, who now ruled in the name of the captive king, and one Writtill, a servant of the former, was sent down to procure a suspension of hostilities, preparatory, if possible, to a settlement of the controversy. Terms were agreed upon by the lords in London which it was thought might be honourably offered to both parties. Apparently it was proposed that the Earl of Oxford, as a neutral person, should be allowed to keep the place until a final decision had been come to by a competent tribunal. But the Duke of Norfolk, after agreeing to the suspension of hostilities, which only diminished by so many days’ allowance the scanty provisions of the garrison, utterly rejected the conditions which some of his own relations in the king’s council had given it as their opinion that he ought not to refuse. On the other hand, Sir John Paston in London, fondly believing that the store of victuals within the place would last a much longer period, caught at an eager hope of obtaining a message from the king which would compel Norfolk to withdraw his forces, and in this idle expectation he was foolish enough to urge Writtill to get the truce prolonged a few days further. Shortly afterwards he received a letter from his mother which ought to have opened his eyes. Victuals, she informed him, were failing in the garrison; his brother and the little band within stood in great danger; Daubeney and Berney, two of their captains, were dead, and several others were wounded; the walls were severely battered, and the supply of gunpowder and arrows would very soon be exhausted. Since Writtill’s attempt at negotiation the Duke of Norfolk had been more determined than ever to win the place, and with a view to a grand assault, whenever the truce should expire, he had sent for all his tenants to be there on Holy Rood day, the

¹ No. 720.

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14th September. If Sir John Paston had it in his power to relieve the garrison, let him do it at once. If not, let him obtain letters from the Duke of Clarence or the lords in London addressed to the Duke of Norfolk, to allow them to quit the place with their lives and goods.¹

Sir John Paston still would not believe that the case was desperate. He had repeatedly declared that his desire to preserve the stronghold was exceeded only by his anxiety for the lives of his brother and those within. But what evidence was there to justify his mother's apprehensions? Daubeney and Berney had been alive the Saturday before, and since that day no one could have got leave to pass outside. Truce had been prolonged till Monday following, and he expected it to be renewed for another week. He had heard far worse tidings before than his mother told him now. As for means of relief to the besieged, the Duke of Clarence and Archbishop Nevill were no longer in London, but he was expecting an answer from the king in Yorkshire, which ought to arrive by Wednesday at farthest, and his mother might rest assured there could not possibly be any fear of victuals or gunpowder running short. When all else failed, a rescue he would certainly procure, if all the lands he held in England and all the friends he had would enable him to obtain it. But this was the very last remedy that could be thought of. It would not agree with the attempt to get the king or lords to interfere. It would besides cost fully a thousand crowns, and how to raise the money he was not sure. How much could his mother herself raise by mortgage, and what friends could she obtain to give their aid?²

Unluckily, while Sir John Paston was devising means how, after another week or fortnight's truce, effectual relief might at last be conveyed to the besieged, they were reduced to such extremities as to be compelled to capitulate. Owing to the representations that had been made in their behalf by Cardinal Bourchier and the Duke of Clarence, Norfolk allowed them to pass out in freedom, with bag and baggage, horses and harness, leaving only behind them their guns, crossbows and

¹ Nos. 722-6.

² No. 725.

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‘quarrels.’¹ Thus, after some weeks’ suspense and the loss of one valuable soldier (Margaret Paston was misinformed about Berney being dead as well as Daubeney), the great castle in which Fastolf intended the Pastons to reside and to found a college, and which he was anxious that no great lord should occupy, fell into the hands of the most powerful nobleman of Eastern England.²

Sir John Paston had now lost the fairest gem of his inheritance—or, as he and his contemporaries called it, of his ‘livelode.’³ Hence it was become all the more important that he should see to the remainder. Just before the surrender of Caister, in answer to his appeal to see what money she could raise, his mother by a great effort obtained for him £10 on sureties, but it was all spent immediately in paying the discharged garrison and some other matters. Ways and means must be found to obtain money, for even his mother’s rents did not come in as they ought to have done, and she expected to be reduced to borrowing, or breaking up her household. On consideration, he determined to part with the manor of East Beckham, and to ascertain what was likely to be realised by selling a quantity of wood at Sporle. The sale of East Beckham—with all Paston’s lands both in East and West Beckham, Bodham, Sherringham, Beeston-near-the-Sea, Runton, Shipden, Felbrigg, Aylmerton, Sustead and Gresham, places which lie a few miles to the west and south of Cromer—was at length completed for the sum of 100 marks.⁴

It was unfortunate for Sir John Paston’s interests that at such a time as this he happened to have a misunderstanding with his most faithful bailiff and general manager of his property, Richard Calle. The title-deeds of Beckham were in Calle’s hands, but he at once gave up, when required, both these and every one of the documents in his possession relating

¹ Square pyramids of iron which were shot out of crossbows. The word is of French origin and was originally *quarreaux*.

² Nos. 730, 731.

³ The modern confusion of this word with *livelthood*—a word which properly means a lively condition—is one of the things that would be unpardonable did not usage pardon everything in language.

⁴ Nos. 733, 737, 738.

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to Paston's lands, and made a clear account of everything to John Paston the younger.¹ The coolness had arisen some months before the siege; the cause was a very old, old story. Richard Calle had presumed to fall in love with Sir John Paston's sister Margery. Margery Paston had not disdained to return his affection. She at once fell into disgrace with the whole family. Her eldest brother, Sir John, was in London when he heard of it, and it was insinuated to him that the matter was quite well known to his brother John and met with his approval. John the younger hastened to disavow the imputation. A little diplomacy had been used by Calle, who got a friend to inquire of him whether the engagement was a settled thing, intimating that if it were not he knew of a good marriage for the lady. But young John saw through the artifice, and gave the mediator an answer designed to set the question at rest for ever. 'I answered him,' writes young John himself to his brother, 'that an my father (whom God assoil) were alive, and had consented thereto, and my mother and ye both, he should never have my goodwill for to make my sister to sell candle and mustard in Framlingham.' If such a prospect did not disgust Margery herself, it was clear she must have a very strong will of her own.²

The anger of her relations was painful to bear in the extreme. For some time Margery found it difficult to avow that she had fairly plighted her troth to one who was deemed such an unequal match. For what was plighted troth in the eye of God but matrimony itself? Even the Church acknowledged it as no less binding. Once that was avowed, the question was at an end, and no human hands could untie the knot. To interfere with it was deadly sin. Hence Richard Calle implored the woman of his love to emancipate both herself and him from an intolerable position by one act of boldness. 'I suppose, an ye tell them sadly the truth, they would not damn their souls for us.'³ But it required much courage to take the step which when taken must be decisive. The avowal was at last made, and though the family would fain have suppressed it or got the poor girl to deny what she

¹ No. 737.

² No. 710.

³ No. 713.

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said, her lover appealed to the Bishop of Norwich to inquire into the matter, and free the point from any ambiguity. The bishop could not refuse. He sent for Margery Paston, and for Richard Calle, and examined them both apart. He told the former that he was informed she loved one of whom her friends did not approve, reminded her of the great disadvantage and shame she would incur if she were not guided by their advice, and said he must inquire into the words that had passed between her and her lover, whether they amounted to matrimony or not. On this she told him what she had said to Calle, and added that if those words did not make it sure she would make it surer before she left the bishop's presence, for she thought herself in conscience bound to Calle, whatever the words were. Then Calle himself was examined, and his statements agreed with hers as to the nature of the pledges given and the time and place when it was done. The bishop then said that in case other impediments were found he would delay giving sentence till the Wednesday or Thursday after Michaelmas.¹

When Margery Paston returned from her examination her mother's door was shut against her, and the bishop was forced to find a lodging for her until the day that he was to give sentence. Before that day came occurred the loss of Caister. The fortunes of the Paston family were diminished, and Sir John began to feel that he at least could ill afford to lose the services of one who had been such a faithful and attached dependant. In writing to his mother he expressed a wish merely that the marriage might be put off till Christmas. Calle, meanwhile, unmarried, was staying at Blackborough Nunnery near Lynn, where his bride had found a temporary asylum. He was still willing to give his services to Sir John Paston, and promised not to offer them to any other unless Sir John declined them. They appear to have been accepted, for we find Calle one or two years later still in the service of the family. But he never seems to have been recognised as one of its members.²

The siege of Caister was one of those strong and high-

¹ No. 721.

² Nos. 721, 736, 737.

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handed acts which could only have been possible when there was really no sovereign authority in the land to repress and punish violence. Acts of very much the same character had been seen before—the reader will not have forgotten the forcible ejection of John Paston's wife from Gresham. But they had been due more especially to the weak and incompetent rule of Henry vi., and not even then do we hear of a place being taken from one of the king's subjects after a five weeks' siege by a rival claimant. It was evident that the rebellion of Robin of Redesdale had destroyed King Edward's power. The king had been actually made a prisoner, and the ascendancy of the Woodvilles had been abolished. The Duchess of Bedford, wife of the late Earl of Rivers, had even during the commotions been accused of witchcraft.¹ The Earl of Warwick enjoyed his revenge in the disorganisation of the whole kingdom. He had now made it almost impossible for Edward to recover his authority without getting rid of him; nor did many months pass away before he stirred up another rebellion in Lincolnshire.² When that movement failed, he and Clarence escaped abroad; but it was not many months before they reappeared in England and drove out the king. Henry vi. was proclaimed anew, and for the space of a short half-year Warwick the Kingmaker governed in the name of that sovereign in whose deposition ten years before he had been one of the principal agents.

Warwick
the King-
maker.
A.D. 1470.

We have but a word or two to say as to matters affecting the family history of the Pastons during this brief interval. At the siege of Caister two men of the Duke of Norfolk's were killed by the fire of the garrison. The duke's council, not satisfied with having turned the Pastons out, now prompted the widows of these two men to sue an 'appeal'³ against John Paston and those who acted with him. A true bill was also found against them for felony at the Norwich session of June 1470, in which Sir John Paston was included as an accessory; but the indictment was held to be void by some of Paston's

Appeal of
two
widows.

¹ *Rolls of Parl.* vi. 232.

² See Nos. 742, 743.

³ An appeal of murder was a criminal prosecution instituted by the nearest relation of the murdered person, and a pardon from the king could not be pleaded in bar of this process.

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friends on the ground that two of the jury would not agree to it. This objection I presume must have been held sufficient to quash the proceedings in this form, of which we hear no more.¹ The 'appeal,' however, remained to be disposed of, as we shall see by and by.

Compro-
mise
touching
Fastolf's
will.

With respect to the title claimed by Sir John Paston in Caister and the performance of Fastolf's will, a compromise was arranged with Bishop Waynflete, who was now recognised as sole executor. It was agreed that as the whole of Fastolf's lands in Essex, Surrey, Norfolk, and Suffolk had been much wasted by the disputes between the executors, the manors should be divided between Sir John Paston and the bishop, the former promising to surrender the title-deeds of all except the manor of Caister. The project of a college in that place was given up, and a foundation of seven priests and seven poor scholars in Magdalen College, Oxford, was agreed to in its place.² Soon afterwards the Duke of Norfolk executed a release to the bishop of the manor of Caister and all the lands conveyed to him by Yelverton and Howes as executors of Sir John Fastolf, acknowledging that the bargain made with them was contrary to Fastolf's will, and receiving from the bishop the sum of 500 marks for the reconveyance. The duke accordingly sent notice to his servants and tenants to depart out of the manor as soon as they could conveniently remove such goods and furniture as he and they had placed in it.³

Thus by the mediation of Bishop Waynflete the long-standing disputes were nearly settled during the period of Henry VI.'s brief restoration. But, probably in consequence of the disturbed state of the country and the return of Edward IV., the duke's orders for the evacuation of Caister were not immediately obeyed, and, as we shall see hereafter, the place remained in Norfolk's possession for the space of three whole years.

Elizabeth
Poynings
remarries.

About this time, or rather, perhaps, two years later, Sir John Paston's aunt, Elizabeth Poynings, terminated her widowhood by marrying Sir George Browne of Betchworth Castle in Surrey. We have already seen how she was dispossessed of

¹ Nos. 740, 746, 747.

² Nos. 750, 755, 767.

³ Nos. 763, 764.

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her lands soon after her first husband's death by the Countess of Northumberland. They were afterwards seized by the Crown as forfeited, and granted by patent to Edmund Grey, Earl of Kent, but without any title having been duly found for the king. The Earl of Kent after a time gave up possession of them to the Earl of Essex, but this did not make things pleasanter for Elizabeth Poynings; while other of her lands were occupied by Sir Robert Fenys in violation, as she alleged, of her husband's will.¹ The date of her second marriage was probably about the end of the year 1471.²

These matters we are bound to mention as incidents in the history of the family. Of Elizabeth Paston, however, and her second husband we do not hear much henceforward; in the Letters after this period the domestic interest centres chiefly round the two John Pastons, Sir John and his brother.

Changes and Counter-changes

Within the space of ten brief years Edward IV. had almost succeeded in convincing the world that he was no more capable of governing England than the rival whom he had deposed. Never did gambler throw away a fortune with more recklessness than Edward threw away the advantages which it had cost him and his friends so much hard fighting to secure. Just when he had reached the summit of his prosperity, he alienated the men to whom it was mainly due, and took no care to protect himself against the consequences of their concealed displeasure. The Earl of Warwick took him prisoner, then released him, then stirred up a new rebellion with impunity, and finally, returning to England once more, surprised and drove him out, notwithstanding the warnings of his brother-in-law, the Duke of Burgundy. Henry VI. was proclaimed anew, and the cause of the House of York seemed to be lost for ever.

¹ Nos. 461, 627, 692, 693.

² On the 18th November 1471, Edmund Paston speaks of her as 'my Aunt Poynings.' Before the 8th January 1472 she had married Sir George Browne. Nos. 789, 795.

Reckless
government of
Edward IV.

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The
Pastons
favour
Henry vi.

It was not so, however, in fact. Adversity quickened Edward's energies in a manner almost miraculous, and in a few months he recovered his kingdom as suddenly as he had lost it. But it was not easy to believe, even after his most formidable enemy had been slain at Barnet, that a king who had shown himself so careless could maintain himself again upon the throne. Besides, men who desired a steady government had rested all their hopes in the restoration of Henry vi., and had found the new state of matters very promising, just before Edward reappeared. The king, it might have been hoped, would be governed this time by the Earl of Warwick, and not by Queen Margaret. The Pastons, in particular, had very special reasons to rejoice in Henry's restoration. They had a powerful friend in the Earl of Oxford, whose influence with Henry and the Earl of Warwick stood very high. Owing partly, perhaps, to Oxford's intercession, the Duke of Norfolk had been obliged to quit his hold of Caister, and Sir John Paston had been reinstated in possession.¹ The Duke and Duchess of Norfolk sued to Oxford as humbly as the Pastons had been accustomed to sue to them, and the earl, from the very first, had been as careful of the interests of this family as if they had been his own. Even in the first days of the revolution—probably before Edward was yet driven out—he had sent a messenger to the Duchess of Norfolk from Colchester when John Paston was in London on a matter which concerned him alone. The family, indeed, seem at first to have built rather extravagant expectations upon the new turn of affairs, which John Paston felt it necessary to repress in writing to his mother. 'As for the offices that ye wrote to my brother for and to me, they be for no poor men, but I trust we shall speed of other offices meetly for us, for my master the Earl of Oxford biddeth me ask and have. I trow my brother Sir John shall have the constableness of Norwich Castle, with £20 of fee. All the lords be agreed to it.'²

Certainly, when they remembered the loss of Caister, which they had now regained—when they recalled his inability

¹ See preliminary note to Letter No. 379.

² No. 759.

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to protect them against armed aggression, and the disappointment of their expectations of redress against the Duke of Suffolk for the attack on the lodge at Hellesdon—the Pastons had little cause to pray for the return of Edward iv. They were completely committed to the cause of Henry ; and Sir John Paston and his brother fought, no doubt in the Earl of Oxford's company, against King Edward at Barnet. Both the brothers came out of the battle alive, but John Paston was wounded with an arrow in the right arm, beneath the elbow.¹ His wound, however, was not of a very serious character, and in little more than a fortnight he was able to write a letter with his own hand.² A more serious consideration was, how far the family prospects were injured by the part they had taken against what seemed now to be the winning side. Perhaps they might be effectually befriended by their cousin Lomner, who seems to have adhered to Edward, and who had promised them his good offices, if required. But on the whole the Pastons did not look despondingly upon the situation, and rather advised their cousin Lomner not to commit himself too much to the other side, as times might change. 'I beseech you,' writes Sir John Paston to his mother, 'on my behalf to advise him to be well aware of his dealing or language as yet ; for the world, I ensure you, is right queasy, as ye shall know within this month. The people here feareth it sore. God hath showed Himself marvellously like Him that made all, and can undo again whome He list, and I can think that by all likelihood He shall show Himself as marvellous again, and that in short time.'³

Sir John
Paston and
his brother
in the
battle of
Barnet.
A.D. 1471.

In point of fact, Sir John Paston, when he wrote these words, had already heard of the landing of Queen Margaret and her son in the west, so that another conflict was certainly impending. His brother John, recovering from his wounds, but smarting severely in pocket from the cost of his surgery, looked forward to it with a sanguine hope that Edward would be defeated. 'With God's grace,' he writes, 'it shall not be long ere my wrongs and other men's shall be redressed, for

¹ No. 774.

² No. 776.

³ No. 774^b

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The battle
of Tewkes-
bury.

the world was never so like to be ours as it is now. Wherefore I pray you let Lomner not be too busy yet.¹ The issue, however, did not agree with his expectations. Four days later was fought the battle of Tewkesbury,² at which Margaret was defeated, and her son, though taken alive, put to death upon the field. Shortly afterwards she herself surrendered as a prisoner, while her chief captain, Somerset, was beheaded by the conqueror. The Lancastrian party was completely crushed; and before three weeks were over, King Henry himself had ended his days—no doubt he was murdered—within the Tower. Edward, instead of being driven out again, was now seated on the throne more firmly than he had ever been before; and the Paston brothers had to sue for the king's pardon for the part they had taken in opposing him.

Caister
retaken by
the Duke
of Norfolk.

Under these circumstances, it was only natural that the Duke of Norfolk, who had been forced to relinquish his claim to Caister under the government of Henry vi., should endeavour to reassert it against one who was in the eye of the law a rebel. On this occasion, however, the duke had recourse to stratagem, and one of his servants suddenly obtained possession of the place on Sunday, the 23rd June.³ It is remarkable that we have no direct reference in the letters either to this event, or to the previous reinstatement of Sir John Paston during the restoration of Henry vi.; but a statement in the itinerary of William Worcester and Sir John Paston's petition to the king in 1475⁴ leave no doubt about the facts. After about six months of possession the Pastons were again driven out of Caister.⁵

The Pastons had need of friends, and offers of friendship

¹ No. 776.

² In connection with this battle, we have in No. 777 lists of the principal persons killed and beheaded after the fight, and of the knights made by King Edward upon the field. This document has never been published before.

³ W. Worc. *Itin.*, 368.

⁴ No. 879.

⁵ Although the fact of this expulsion could not be gathered from the letters of this date, some allusion to it will be found in Letter 778, by which it seems that a horse of John Paston's had been left at Caister, which the family endeavoured to reclaim by pretending that it was his brother Edmund's. John Paston, however, seems to have preferred that the duke's men should keep the animal, in the hope that they would make other concessions of greater value.

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were made to them by Earl Rivers, formerly Lord Scales. ^{Earl Rivers offers his friendship.} The engagement of Sir John Paston to Rivers's kinswoman, Anne Haute,¹ still held ; and though there was some talk of breaking it off, the earl was willing to do what lay in his power in behalf both of Sir John and of his brother. The latter was not very grateful for his offer, considering, apparently, that the earl's influence with the king was not what it had been. 'Lord Scales,' he said, for so he continued to call him, 'may do least with the great master. But he would depart over the sea as hastily as he may ; and because he weeneth that I would go with him, as I had promised him ever, if he had kept forth his journey at that time, this is the cause that he will be my good lord, and help to get my pardon. The king is not best pleased with him, for that he desireth to depart ; insomuch that the king hath said of him that whenever he hath most to do, then the Lord Scales will soonest ask leave to depart, and weeneth that it is most because of cowardice.'²

Earl Rivers, in fact, was at this time meditating a voyage to Portugal, where he meant to go in an expedition against the Saracens, and he actually embarked on Christmas Eve following.³ His friendship, perhaps, may have been unduly depreciated by the younger brother ; for within twelve days John Paston actually obtained the king's signature to a warrant for his pardon. This, it is true, may have been procured without his mediation ; but in any case the family were not in the position of persons for whom no one would intercede. They had still so much influence in the world that within three months after he had been a second time dispossessed of Caister, Sir John made a serious effort to

¹ A transcript of an old pedigree with which I was favoured by Mr. J. R. Scott during the publication of these letters long ago, confirmed my conjecture that Anne Haute was the daughter of William Haute, whose marriage with Joan, daughter of Sir Richard Woodville, is referred to in the *Excerpta Historica*, p. 249. She was, therefore, the niece of Richard, Earl Rivers, and cousin-german to Edward IV.'s queen. It appears also that she had a sister named Alice, who was married to Sir John Fogge of Ashford, Treasurer of the Household to Edward IV. This Sir John Fogge was the man whom Richard III., having previously regarded him as a deadly enemy, sent for out of sanctuary, and took publicly by the hand at his accession, in token that he had forgotten all old grudges.

² No. 778.

³ Nos. 793, 795.

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Sir J.
Paston
petitions
the Duke
of Norfolk
to give
back
Caister.

ascertain whether the Duke of Norfolk might not be induced to let him have it back again. This he did, as was only natural, through the medium of his brother John, whose former services in the duke's household gave him a claim to be heard in a matter touching the personal interests of the family. John Paston, however, wisely addressed himself, on this subject, rather to the duchess than to the duke; and though he received but a slender amount of encouragement, it was enough, for a few months, just to keep his hopes alive. 'I cannot yet,' he writes, 'make my peace with my lord of Norfolk by no means, yet every man telleth me that my lady sayeth passing well of me always notwithstanding.' This was written in the beginning of the year 1472, just seven months after Sir John's second expulsion from Caister. But the Pastons continued their suit for four years more, and only recovered possession of the place on the Duke of Norfolk's death, as we shall see hereafter.¹

The Paston Brothers

Royal
pardon to
John
Paston.

John Paston obtained a 'bill of pardon' signed by the king, on Wednesday the 17th July. This, however, was not in itself a pardon, but only a warrant to the Chancellor to give him one under the Great Seal. The pardon with the Great Seal attached he hoped to obtain from the Chancellor on the following Friday. Meanwhile he wrote home to his mother to let no one know of it but Lady Calthorpe, who, for some reason not explained, seems to have been a confidante in this particular matter.² Perhaps this was as well, for as a matter of fact the pardon was not sealed that Friday, nor for many a long week, and even for some months after. It seems to have been promised, but it did not come. At Norwich some one called John Paston traitor and sought to pick quarrels with him; and how far he could rely upon the protection of the law was a question not free from anxiety. His brother, Sir John, urged him to take steps to have the pardon made sure

¹ Nos. 781, 796, 802.

² No. 780.

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without delay ; but it was only passed at length upon the 7th of February following, nearly seven months after the king had signed the bill for it. His brother, Sir John, obtained one on the 21st December.¹

But John Paston stood in another danger, from which even a royal pardon could not by law protect him. The 'appeal'² of the two widows³ still lay against him. The blood of their husbands cried for vengeance on the men who had defended Caister, and especially upon the captain of the garrison. Their appeal, however, was suspected to proceed from the instigation of others who would fain have encouraged them to keep it up longer than they cared to do themselves. Sir John Paston had information from some quarter which led him to believe that they had both found husbands again, and he recommended his brother to make inquiry, as in that case the appeals were abated. With regard to one of them, the intelligence turned out to be correct. A friend whom John Paston asked to go and converse with this woman, the widow of a fuller of South Walsham, reported that she was now married to one Tom Steward, dwelling in the parish of St. Giles in Norwich. She confessed to him that she never sued the appeal of her own accord, 'but that she was by subtle craft brought to the New Inn at Norwich. And there was Master Southwell ; and he entreated her to be my lord's widow⁴ by the space of an whole year next following ; and thereto he made her to be bound in an obligation. And when that year was past he desired her to be my lord's widow another year. And then she said that she had liever lose that that she had done than to lose that and more ; and therefore she said plainly that she would no more of that matter ; and so she took her an husband, which is the said Tom Steward. And she saith that it was full sore against her will that ever the matter went so far forth, for she had never none avail thereof, but it was sued to her great labor and loss, for she had never of my lord's council but barely her costs to London.'⁴

¹ Nos. 780, 781, 795.

² See p. 257, note 3.

³ The widow of a lord's vassal was called the lord's widow, and could only marry again by his leave.

⁴ Nos. 782, 783.

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The other widow, however, had not married again as Sir John had imagined. With her the right of appeal still remained, and she was induced to exercise it. In this she seems to have been encouraged by the Duke of Norfolk, simply for the sake of giving trouble to Sir John Paston; for though it was his brother and the men with him who were the most direct cause of her husband's death, the appeal was not prosecuted against them, but against him only. In the following January the widow went up to London, and 100 shillings were given her to sue with. What came of the affair then we have no further record. Sir John Paston was warned of his danger both by his mother and by his brother; so perhaps he found the means to induce her to forbear proceeding further. An argument that has often enough stopped the course of justice would doubtless have been efficacious to put an end to such a purely vexatious prosecution. But it may be that the case was actually heard, and Sir John Paston acquitted.¹

Great
mortality.

In a social point of view the year of Edward iv.'s restoration was not one of gladness. The internal peace of the kingdom was secured by the two sharp battles of Barnet and Tewkesbury, and by the execution of the Bastard Falconbridge after his attempt on London, but the land was visited with pestilence and the mortality was severe. Hosts of pilgrims travelled through the country, eager to escape the prevailing infection or to return thanks for their recovery from illness. The king and queen went on pilgrimage to Canterbury; and never, it was said, had there been so many pilgrims at a time.² 'It is the most universal death that ever I wist in England,' says Sir John Paston; 'for by my trouth I cannot hear by pilgrims that pass the country that any borough town in England is free from that sickness. God cease it when it pleaseth Him! Wherefore, for God's sake let my mother take heed to my young brethren, that they be in none place where that sickness is reigning, nor that they disport not with none other young people which resorteth where any sickness is; and if there be any of that sickness dead or infect in Norwich, for God's sake let her send them to some friends

¹ Nos. 796, 797

² No. 782.

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of hers into the country, and do ye the same by mine advice. Let my mother rather remove her household into the country.’¹

The plague continued on till the beginning of winter. Margaret Paston does not seem to have removed into the country, but in writing to her son John in the beginning of November she notes the progress of the enemy. ‘Your cousin Berney of Witchingham is passed to God, whom God assoyle! Veyl’s wife, and London’s wife, and Picard the baker of Tombland, be gone also. All this household and this parish is as ye left it, blessed be God! We live in fear, but we wot not whither to flee for to be better than we be here.’² In the same letter Margaret Paston speaks of other troubles. She had been obliged to borrow money for her son

Sir John, and it was redemanded. The fortunes of the family Money matters. were at a low ebb, and she knew not what to do without selling her woods—a thing which would seriously impair the value of Sir John’s succession to her estates, as there were so many wood sales then in Norfolk that no man was likely to give much more than within a hundred marks of their real value. She therefore urged Sir John in his own interest to consider what he could do to meet the difficulty. Already she had done much for him, and was not a little ashamed that it was known she had not reserved the means of paying the debts she had incurred for him. Sir John, however, returned for answer that he was utterly unable to make any shift for the money, and Margaret saw nothing for it but the humiliation of selling wood or land, or even furniture, to meet the emergency. ‘It is a death to me to think upon it,’ she wrote. She felt strongly that her son had not the art of managing with economy—that he spent double the money on his affairs that his father had done in matters of the same character, and, what grieved her even more, that duties which filial pride ought to have piously discharged long ago had been neglected owing to his extravagance. ‘At the reverence of God,’ she writes to his younger brother John, ‘advise him yet to beware of his expenses and guiding, that it be no shame to us all. It is a

¹ No. 781.

² No. 787.

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John
Paston's
gravestone.

shame and a thing that is much spoken of in this country that your father's gravestone is not made. For God's love, let it be remembered and purveyed in haste. There hath been much more spent in waste than should have made that.' Apparently direct remonstrances had failed to tell upon Sir John otherwise than to make him peevish and crusty. She therefore wrote to his younger brother instead. 'Me thinketh by your brother that he is weary to write to me, and therefore I will not accumber him with writing to him. Ye may tell him as I write to you.'¹

Sir John
Paston
and Anne
Haute.

Thrifless, extravagant, and irresolute, Sir John Paston was not the man to succeed, either in money matters or in anything else. No wonder, then, that his engagement with Anne Haute became unsatisfactory, apparently to both parties alike. The manner in which he speaks of it at this time is indeed ambiguous; but there can be no doubt that in the end both parties desired to be released, and were for a long time only restrained by the cost of a dispensation, which was necessary to dissolve even such a contract as theirs. It would not have been surprising, indeed, if on the restoration of Edward iv. Lord Rivers and the queen's relations had shown themselves unfavourable to a match between their kinswoman and one who had fought against the king at Barnet. But whether this was the case or not we have no positive evidence to show. Only we know that in the course of this year the issue of the matter was regarded as uncertain. In September Sir John Paston writes that he had almost spoken with Mrs. Anne Haute, but had not done so. 'Nevertheless,' he says, 'this next term I hope to take one way with her or other. She is agreed to speak with me and she hopeth to do me ease, as she saith.'²

A.D. 1471,
Oct.

Six weeks later, in the end of October, the state of matters

¹ Nos. 787, 791. In justice to Sir John Paston it should be mentioned that he had been making inquiries two months before as to the dimensions of the space over his father's grave at Bromholm available for a monument.—See No. 782. More than five years, however, had elapsed since his father's death, and even two years after this the tomb was not attended to, as we find by repeated comments on the subject.—See Nos. 843 and 878. This last letter has been accidentally misplaced, and is really of the year 1472, as will be shown hereafter.

² No. 781.

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is reported, not by Sir John Paston but by his brother. 'As for Mrs. A. Haulte, the matter is moved by divers of the queen's council, and of fear by R. Haulte; but he would it should be first of our motion, and we would it should come of them first—our matter should be the better.'¹ In February following Sir John was admitted to another interview with the lady, but was unable to bring the matter to a decisive issue. 'I have spoken,' he says, 'with Mrs. Anne Haulte at a pretty leisure, and, blessed be God, we be as far forth as we were tofore, and so I hope we shall continue. And I promised her that at the next leisure that I could find thereto, that I would come again and see her, which will take a leisure, as I deem now. Since this observance is overdone, I purpose not to tempt God no more so.'²

A year later, in April 1473, he says that if he had had six days more leisure, he 'would have hoped to have been delivered of Mrs. Anne Haulte. Her friends, the queen, and Atcliff,' he writes, 'agreed to common and conclude with me, if I can find the mean to discharge her conscience, which I trust to God to do.'³ But the discharge of her conscience required an application to the Court of Rome, and this involved a very unsentimental question of fees. 'I have answer again from Rome,' he writes in November following, 'that there is the well of grace and salve sufficient for such a sore, and that I may be dispensed with; nevertheless my proctor there asketh a thousand ducats, as he deemeth. But Master Lacy, another Rome runner here, which knoweth my said proctor there, as he saith, as well as Bernard knew his shield, sayeth that he meaneth but an hundred ducats, or two hundred ducats at the most; wherefore after this cometh more. He wrote to me also *quod Papa hoc facit hodiernis diebus multociens* (that the Pope does this nowadays very frequently).'⁴

Here we lose for a while nearly all further trace of the matter. Nothing more seems to have been done in it for a long time; for about fourteen months later we find Sir John Paston's mother still wishing he were 'delivered of Mrs.

¹ No. 784.

³ No. 831.

² No. 798.

⁴ No. 842.

THE PASTON LETTERS

Anne Haulte,'¹ and this is all we hear about it until after an interval of two years more, when, in February 1477, Sir John reports that the matter between him and Mrs. Anne Haulte had been 'sore broken' to Cardinal Bouchier, the Lord Chamberlain (Hastings), and himself, and that he was 'in good hope.'² Finally, in August following, he expects that it 'shall, with God's grace, this term be at a perfect end.'³ After this we hear nothing more of it. The pre-contract between Sir John and Anne Haulte seems therefore to have been at last annulled; and what is more remarkable, after it had been so, he was reported to be so influential at Court that another marriage was offered him 'right nigh of the Queen's blood.'⁴ His mother, who writes to him on the subject in May 1478, had not been informed who the lady was, and neither can we tell the reader. We only know for certain that such a marriage never took effect.

John
Paston's
love affairs.

John Paston, too, had his love affairs as well as his brother, but was more fortunate in not being bound helplessly to one lady for a long series of years. In the summer of 1471, he seems to have been endeavouring to win the hand of a certain Lady Elizabeth Bouchier; but here he did not prosper, for she was married a few months later to Lord Thomas Howard—the nobleman who more than forty years after was created Duke of Norfolk by King Henry VIII. for his victory over the Scots at Flodden.⁵ As to his further proceedings in

¹ No. 863. Some months before the time when he himself expressed that hope of being delivered from his engagement, I meet with a passage of rather doubtful meaning in a letter to Sir John Paston from his brother. There is a lady in the case, but the lady is not named. John Paston has delivered to her a ring which he had much difficulty in inducing her to take. But he promises that Sir John shall be her true knight, and she in return promises to be more at his commandment than at any knight's in England, 'my lord' excepted. 'And that ye shall well understand' (so John Paston reports the message) 'if ye have aught to do wherein she may be an helper; for there was never knight did so much cost on her as ye have done.' (No. 817.) Is this anonymous lady Anne Haulte once more? Was the ring an engagement ring returned? And did they thus break off relations with each other, retaining mutual esteem? Let us hope this is the explanation, which indeed I should even think probable, but that the lady must have been at this time residing in the county of Norfolk, and I have no notice of Anne Haulte having been there at any time.

² No. 900.

⁴ No. 933.

³ No. 916.

⁵ Nos. 781, 800.

INTRODUCTION

search of a wife, we shall have occasion to speak of them hereafter.

Property was at all times a matter of more importance than love to that selfish generation; it was plainly, avowedly regarded by every one as the principal point in marrying. In the royal family at this very time, the design of Richard, Duke of Gloucester, to marry the widow of Edward, Prince of Wales, awoke the jealousy of his brother Clarence. For the lady was a younger sister of Clarence's own wife, and co-heir to her father, Warwick the Kingmaker; and since the death of that great earl at Barnet, Clarence seems to have pounced on the whole of his immense domains without the slightest regard even to the rights of his widow, who, indeed, was now in disgrace, and was living in sanctuary at Beaulieu. The idea of being compelled to share the property with his brother was a thing that had never occurred to him, and he could not endure the thought. He endeavoured to prevent the proposed marriage by concealing the lady in London.¹ Disputes arose between the two brothers in consequence, and though they went to Sheen together to pardon, it was truly suspected to be 'not all in charity.' The king endeavoured to act as mediator, and entreated Clarence to show a fair amount of consideration to his brother; but his efforts met with very little success. 'As it is said,' writes Sir John Paston, 'he answereth that he may well have my lady his sister-in-law, but they shall part no livelode,'—the elder sister was to have all the inheritance, and the younger sister nothing! No wonder the writer adds, 'So what will fall can I not say.'² What did fall, however, we know partly from the Paston Letters and partly from other sources. The Duke of Gloucester married the lady in spite of his brother's threats. The dispute about the property raged violently more than two years, and almost defied the king's efforts to keep his two brothers in subjection. In November 1473 we find it 'said for certain that the Duke of Clarence maketh him big in that he can, showing as he would but deal with the Duke of Gloucester; but the king intendeth, in eschewing all incon-

A.D. 1472.
The
Dukes of
Clarence
and
Gloucester.

¹ *Contin. Chron. of Croyland*, 557.

² No. 798.

THE PASTON LETTERS

venients, to be as big as they both, and to be a styffeler atween them. And some men think that under this there should be some other thing intended, and some treason conspired.' Sir John Paston again did not know what to make of it, and was driven to reiterate his former remark, 'So what shall fall can I not say.'¹ He only hoped the two brothers would yet be brought into agreement by the king's award.²

This hope was ultimately realised. Clarence at last consented with an ill will to let his sister-in-law have a share in her father's lands; and an arrangement was made by a special Act of Parliament for the division of the property.³ To satisfy the rapacity of the royal brothers, the claims of the Countess of Warwick were deliberately set aside, and the Act expressly treated her as if she had been a dead woman. So the matter was finally settled in May 1474. Yet possibly the Countess's claims had some influence in hastening this settlement; for about a twelvemonth before she had been removed from her sanctuary at Beaulieu⁴ and conveyed northwards by Sir James Tyrell. This, it appears, was not done avowedly by the king's command; nevertheless rumour said that it was by his assent, and also that it was contrary to the will of Clarence.⁵

Even so in the Paston family love affairs give place at this time to questions about property, in which their interests were very seriously at stake. Not only was there the great question between Sir John and the Duke of Norfolk about Caister, but there was also a minor question about the manor of Saxthorpe, the particulars of which are not very clear. On the 12th July 1471, Sir John Paston made a release of Saxthorpe and Titchwell and some other portions of the Fastolf estates, to David Husband and William Gyfford;⁶ but this was probably only in the nature of a trust, for it appears that he did not intend to give up his interest in the property. 'In January following, however, William Gurney entered into Saxthorpe and

¹ No. 841.

² No. 842.

³ *Rolls of Parl.* vi. 100.

⁴ 'Bewele Seyntwarye' in Fenn; but the reading is 'BeVerley sanctuary' in the right-hand version. Which is correct?

⁵ No. 834.

⁶ No. 779.

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endeavoured to hold a court there for the lord of the manor. But John Paston hearing of what was doing, went thither accompanied by one man only to protect his brother's interest, and charged the tenants, in the presence of Gurney himself and a number of his friends, to proceed no further. The protest was effective so far as to produce a momentary pause. But when it was seen that he had only one man with him, the proceedings were resumed; on which John Paston sat down by the steward and blotted his book with his finger as he wrote, and then called the tenants to witness that he had effectually interrupted the court in his brother's right.¹ Gurney, however, did not give up the game, but warned another court to be kept on Holy Rood day (May 3rd, the Invention of the Holy Cross), when he would have collected the half-year's rents from the tenants. The court was held, but before it was half over John Paston appeared again and persuaded him to stay proceedings once more, and to forbear gathering money until he and Sir John Paston should confer together in London. It seems to have required some tact and courtesy to get him to consent to this arrangement; for Henry Heydon, the son of the old ally of Sir Thomas Tuddenham, had raised a number of men-at-arms to give Gurney any assistance that might have been necessary, but the gentle demeanour of John Paston left him no pretext for calling in such aid.²

The real claimant of the manor against Sir John Paston was Waynflete, Bishop of Winchester, of whom, almost immediately after this, Henry Heydon bought both Saxthorpe and Titchwell. Sir John Paston, apparently, had been caught napping as usual, and knew nothing of the transaction. His mother wrote to him in dismay on the 5th June. Young Heydon had already taken possession. 'We beat the bushes,' said Margaret Paston, 'and have the loss and the disworship, and other men have the birds. My lord hath false counsel and simple that adviseth him thereto. And, as it is told me, Guton is like to go the same way in haste. And as for Hellesdon and Drayton, I trow it is there it shall be. What shall fall of the remnant God knoweth,—I trow as evil or worse.'³

¹ No. 796.

² No. 801.

³ No. 803.

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John Paston in like manner writes on the same day that Heydon was sure of Saxthorpe, and Lady Boleyn of Guton.¹ Sir John Paston was letting the family property slip out of his fingers, while on the other hand he was running into debt, and in his straitened circumstances he was considering what he could sell. His mother had threatened if he parted with any of his lands to disinherit him of double the amount;² so he was looking out for a purchaser of his wood at Sporle, which he was proposing to cut down.³ But by far the most serious matter of all was Caister; 'if we lose that,' said Margaret Paston, 'we lose the fairest flower of our garland.' To her, too, it would be peculiarly annoying, for she expected to have little comfort in her own family mansion at Mautby, if the Duke of Norfolk had possession of Caister only three miles off.⁴ On this subject, however, Sir John Paston does not appear to have been remiss. It was the first thing that occupied his thoughts after he had secured his pardon. In the beginning of the year he had been with Archbishop Nevill, who, though he had been in disgrace and committed to the Tower just after the battle of Barnet, seems at this time again to have had some influence in the world, at his residence called the Moor. By the archbishop's means apparently he had received his pardon, and had spent a merrier Christmas in consequence; and he wrote to his mother that if he could have got any assurance of having Caister restored to him, he would have come away at once.⁵ But it was not long before the archbishop again got into trouble. He was once more conducted to the Tower, and two days afterwards at midnight he was put on board a ship and conveyed out to sea.⁶ Nothing more therefore was to be hoped for from the archbishop's friendship; but Sir John Paston did not cease to use what means lay in his power. His brother made incessant applications on his behalf to the Duchess of Norfolk, and to the duke's council at Framlingham. To be reinstated Sir John was willing to

Sir John
Paston
seeks to
get Caister
restored
to him.

¹ No. 804.

² Nos. 798, 804, 819, 820.—No. 819 is a little out of its place, the exact date of the letter being the 9th May.

³ No. 795.

⁴ No. 802.

⁵ No. 803.

⁶ No. 800.

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make the duke a present of £40, an offer which the council acknowledged was 'more than reasonable.' If the matter were their own, they gave John Paston to understand, they could easily come to an understanding with him, but my lord was intractable. The duchess herself declined to interfere in the matter until my lord and the council were agreed, and the latter said that when they had mooted it to the duke 'he gave them such an answer that none of them all would tell it.' They suggested, however, that the duke might be swayed by more influential opinions, and that if Sir John could get my Lord Chamberlain Hastings, or some other nobleman of mark, to speak to the duke in his favour, there was great probability that he would attain his object.¹

A favourable opportunity, however, presented itself shortly afterwards for urging a petition for justice on the duke himself. After ten years or more of married life the Duchess of Norfolk was at length with child. Duke and duchess received everywhere congratulations from their friends and dependants. Among the rest Sir John Paston offered his to my lady herself, in a vein of banter that seems slightly to have offended her, though not perhaps so much by its grossness, which was excessive, as by the undue familiarity exhibited in such a tone of address.² The Duke of Norfolk was going to be with his wife on the occasion of her lying-in, and John Paston, as an old servant of the family, went to give his attendance at Framlingham. It was resolved that the utmost should be made of the opportunity. John Paston drew up a petition in behalf of his brother to present to the duke, while Sir John Paston himself, then in London, obtained letters from the king to both the duke and duchess, and also to their council. The king seems to have been particularly interested in the case, and assured Sir John that if his letters were ineffectual justice should be done in the matter without delay. The letters were despatched by a special messenger, 'a man of worship' in high favour with the king himself. With such powerful influence engaged on his behalf, most probably Sir John did not care to ask for letters from Lord Hastings, which his brother was

¹ No. 809.

² Nos. 812, 813.

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even then expecting. But he suggested, if my lady's lying-in should be at Norwich instead of Framlingham, that his mother might obtain admittance to her chamber, and that her persuasions would be of considerable use.¹

Birth of a daughter.

The duchess was confined at Framlingham, and gave birth to a daughter, who received the name of Anne. Waynflete, Bishop of Winchester, came down to christen the child, and he, too, took an opportunity during his brief stay to say a word to my lady about Caister and the claim of Sir John Paston to restitution. But exhortations, royal letters, and all were thrown away upon the Duke of Norfolk. My lady promised secretly to another person to favour Sir John's suit, but the fact of her giving such a promise was not to be communicated to any one else. John Paston was made as uncomfortable as possible by the manner in which his representations were received. 'I let you plainly wit,' he wrote to his brother, 'I am not the man I was, for I was never so rough in my master's conceit as I am now, and that he told me himself before Richard Southwell, Tymperley, Sir W. Brandon, and twenty more; so that they that lowered now laugh upon me.'²

Sir John Paston seeks to enter Parliament.

But although all arts were unsuccessful to bend the will of the Duke of Norfolk on this subject, Sir John Paston seems to have enjoyed the favour and approval of the duchess in offering himself as a candidate for the borough of Maldon in the Parliament of 1472. His friend James Arblaster wrote a letter to the bailiff of Maldon suggesting the great advantage it would be to the town to have for one of their two-burgesses 'such a man of worship and of wit as were towards my said lady,' and advising all her tenants to vote for Sir John Paston, who not only had this great qualification, but also possessed the additional advantage of being in high favour with my Lord Chamberlain Hastings.³ There was, however, some uncertainty as to the result, and his brother John suggested in writing to him that if he missed being elected for Maldon he might be for some other place. There were a dozen towns in

¹ Nos. 813, 814, 815, 817, 824. See also No. 878, which by a strange inadvertence has been put in the year 1475 instead of 1472. The preliminary note is correct except as to the year.

² No. 823.

³ No. 808.

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England that ought to return members to Parliament which had chosen none, and by the influence of my Lord Chamberlain he might get returned for one of them.¹

In point of fact, I find that Sir John Paston was not returned for Maldon to the Parliament of 1472; and whether he sat for any other borough I am not certain, though there is an expression in the correspondence a little later that might lead one to suppose so.² But that he went up to London we know by a letter dated on the 4th November;³ and though he went to Calais, and even visited the court of the Duke and Duchess of Burgundy at Ghent early in the following year, when Parliament was no longer sitting, he had returned to London long before it had ended its second session in April 1473.⁴ It is also clear that he took a strong interest in its proceedings; but this was only natural. That Parliament was summoned avowedly to provide for the safety of the kingdom. Although the Earl of Warwick was now dead, and Margaret of Anjou a prisoner at Wallingford,⁵ and the line of Henry VI. extinct, it was still anticipated that the Earl of Oxford and others, supported by the power of France, would make a descent upon the coast. Commissions of array were issued at various times for defence against apprehended invasion.⁶ Information was therefore laid before Parliament of the danger in which the kingdom stood from a confederacy of the king's 'ancient and mortal enemies environing the same,' and a message was sent to the Commons to the effect that the king intended to equip an expedition in resistance of their malice.⁷

¹ No. 809.

² His name does not appear in any of the original returns preserved in the Record Office; but they are certainly very imperfect, and some of them are not very legible. The two burgesses returned for Maldon were William Pestell and William Albon. I find, however, that William Paston, probably Sir John's uncle, was returned for Newcastle-under-Lyne.

³ No. 812.

⁴ He could scarcely have returned from Calais in time for the opening of that session on the 8th February, as he was at Calais on the 3rd, and says nothing about coming home at that date.—No. 826.

⁵ No. 795.

⁶ Patent, 7th March, 12 Edw. IV., p. 1, membs. 25 and 26 *in dorso*; and 10th May, p. 1, m. 13 *in dorso*.

⁷ Even on the 1st June, four months before Parliament met, we find commissions issued to certain masters of ships to take sailors for the army going over sea.—*Patent Roll*, 12 Edw. IV., p. 1, m. 10 *in dorso*.

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The result was that, in November 1472, the Commons agreed to a levy of 13,000 archers, and voted a tenth for their support, which was to be levied before Candlemas following.¹ An income and property tax was not a permanent institution of our ancestors, but when it came it pressed heavily; so that a demand of two shillings in the pound was not at all unprecedented. A higher tax had been imposed four years before, and also in 1453 by the Parliament of Reading. Still, a sudden demand of two shillings in the pound, to be levied within the next four months, was an uncomfortable thing to meet; and owing either to its unpopularity or the difficulty of arranging the machinery for its collection, it was not put in force within the time appointed. But in the following spring, when the Parliament had begun its second session, collectors were named throughout the country, and it was notified that some further demands were to be made upon the national pocket. On the 26th March, John Paston writes that his cousin John Blennerhasset had been appointed collector in Norfolk, and asks his brother Sir John in London to get him excused from serving in 'that thankless office,' as he had not a foot of ground in the county. At the same time the writer expresses the sentiments of himself and his neighbours in language quite sufficiently emphatic: 'I pray God send you the Holy Ghost among you in the Parliament House, and rather the Devil, we say, than ye should grant any more taxes.'² Unfortunately, before the Parliament ended its sittings, it granted a whole fifteenth and tenth additional.³

Family
jars.

At this time we find that there was some further unpleasant feeling within the Paston family circle. Margaret Paston had several times expressed her discontent with the thriftless extravagance of her eldest son, and even the second, John, did not stand continually in her good graces. A third brother, Edmund, was now just coming out in life, and as a preparation for it he too had to endure continual reproofs and remonstrances from his mother. Besides these, there were at home three other sons and one daughter, of whom we shall speak hereafter. The young generation apparently was a little too much for the lone widow;

¹ *Rolls of Parl.* vi. 4.

² No. 829.

³ *Rolls of Parl.* vi. 39.

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and, finding her elder sons not very satisfactory advisers, she did what lone women are very apt to do under such circumstances—took counsel in most of the affairs of this life of a confidential priest. In fact, she was a good and pious woman, to whom in her advancing years this world appeared more and more in its true character as a mere preparation for the next. She had now withdrawn from city life at Norwich, and was dwelling on her own family estate at Mautby. Bodily infirmities, perhaps—though we hear nothing explicitly said of them—made it somewhat less easy for her to move about; and she desired to obtain a licence from the Bishop of Norwich to have the sacrament in her own chapel.¹ She was also thinking, we know, of getting her fourth son Walter educated for the priesthood; and she wished her own spiritual adviser, Sir James Gloys,² to conduct him to Oxford, and see him put in the right way to pursue his studies creditably. She hoped, she said, to have more joy of him than of his elder brothers; and though she desired him to be a priest, she wished him not to take any orders that should be binding until he had reached the age of four-and-twenty. ‘I will love him better,’ she said, ‘to be a good secular man than a lewd priest.’³

But the influence of this spiritual adviser over their mother Sir James was by no means agreeable to the two eldest sons. John Gloys. Paston speaks of him in a letter to his brother as ‘the proud, peevish, and ill-disposed priest to us all,’ and complains grievously of his interference in family affairs. ‘Many quarrels,’ he writes, ‘are picked to get my brother Edmund and me out of her house. We go not to bed unchidden lightly; all that we do is ill done, and all that Sir James and Pecoek doth is well done. Sir James and I be twain. We

¹ No. 821. She repeats the request more than two years later, and desires that if it cannot be obtained of the Bishop of Norwich, John Paston should endeavour to get it of the Archbishop of Canterbury, ‘for that,’ she says, ‘is the most sure for all places.’—No. 866.

² We ought, perhaps, to have explained before that the prefix ‘Sir’ before a priest’s name, as in Sir James Gloys and Sir Thomas Howes, was commonly used as equivalent to ‘Reverend,’ though strictly speaking it was applied to one who had taken no higher degree than bachelor.

³ No. 825. Even so Erasmus says of More (Epp. lib. x. 30, col. 536). ‘Maluit maritus esse castus quam sacerdos impurus.’ The sentiment evidently was a very common one.

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fell out before my mother with "Thou proud priest," and "Thou proud squire," my mother taking his part; so I have almost beshut the bolt as for my mother's house; yet summer shall be done or I get me any master.'¹ John Paston, in fact, was obliged to put up with it for some months longer, and though he afterwards reports that Sir James was always 'chopping at him,' and seeking to irritate him in his mother's presence, he had found out that it was not altogether the best policy to rail at him in return. So he learned to smile a little at the most severe speeches, and remark quietly, 'It is good hearing of these old tales.'² This mode of meeting the attack, if it did not soften Sir James's bitterness, may have made Margaret Paston less willing to take his part against her son. At all events we hear no more of these encounters. Sir James Gloys, however, died about twelve months later.³

Taxation, Private Affairs, and the French War

The impatience of taxation expressed by John Paston and others may perhaps be interpreted as showing that little was generally known, or at all events believed, of any such serious danger to the kingdom from outward enemies as had been represented to Parliament. Nevertheless, in March 1473, John Paston speaks of 'a few Frenchmen whirling on the coasts,' for fear of whom the fishermen did not venture to leave port without safe conducts.⁴ A political prophet named Hogan also foretold that some attempt would shortly be made to invade the kingdom or to create trouble within it. But the French ships soon returned home, and Hogan's words were not greatly esteemed, though he was arrested and sent up to London for uttering them. He had, in fact, prophesied similar things before. Yet there was an impression in some quarters that he might be right on this occasion. He was committed to the Tower, and he desired leave to speak to the king, but Edward declined to give him any occasion for boasting that his warnings had been listened to. Ere long,

Hogan's
prophecies.

¹ No. 805.

² No. 810.

³ No. 842.

⁴ No. 826.

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however, his story was to some extent justified. News came that on Saturday, the 10th April, the Earl of Oxford had been at Dieppe with twelve ships, about to sail for Scotland. A man was examined in London, who gave information that large sums of money had been sent him from England, and that a hundred gentlemen in Norfolk and Suffolk had agreed to assist him if he should attempt a landing. On the 28th May he actually did land at St. Osith's, in Essex, but hearing that the Earl of Essex with the Lords Dynham and Durasse were coming to oppose him, he returned to his ships and sailed away. His attempt, however, saved Hogan his head, and gained him greater esteem as a prophet; for he had foretold 'that this trouble should begin in May, and that the king should northwards, and that the Scots should make us work and him battle.' People began everywhere to buy armour, expecting they knew not what.¹

Sir John Paston, for his part, during his visit to the Burgundian court in the end of January,² had already ordered a complete suit of armour for himself, together with some horse armour, of Martin Rondelle, the armourer of the Bastard of Burgundy.³ But the demand for armour increased as the year went on. The Earl of Oxford again suddenly appeared, this time on the coast of Cornwall, and took possession of St. Michael's Mount on the last day of September. He was besieged there by Sir Henry Bodrugan, but the place was so strong that, if properly victualled, twenty men could keep it against the world. The earl's men, however, parleyed with Sir Henry, who by some gross negligence allowed victuals to be conveyed into the Mount. The command of the besieging force was taken from him by the king and given to Richard Fortescue, sheriff of Cornwall.⁴ At the same time the quarrel between the Dukes of Clarence and Gloucester contributed to make people uneasy. The world, as Sir John Paston phrased it, seemed 'queasy.' Every man about the king sent for his 'harness.' The king himself sent for the Great Seal, which

¹ Nos. 829, 830, 831, 833, 834.

² He was at Ghent on Thursday, 28th January.—No. 826.

⁴ Warkworth's *Chronicle*, 26-7.

³ No. 838.

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was conveyed to him by Dr. Morton, Master of the Rolls. Some expected that he would make a new Chancellor, some that he would keep the Seal in his own hands as he had done during former commotions.¹

The Earl of Oxford was fast shut up in the Mount. But during November he made a sally, took a gentleman prisoner, and dragged him within. Shortly afterwards, attempting to give more trouble to the besiegers, he was wounded in the face with an arrow.² But his gallant defence seems to have awakened sympathy in the West Country; for on the 10th December the king found it necessary to issue a proclamation against bearing arms in Devonshire.³ However, after keeping possession of the place for four months and a half, he felt himself compelled to surrender, not by lack of victuals, but for want of reliance on his own men, to whom the king had offered pardons and rewards for deserting him. The earl himself was constrained to sue for pardon of his own life, and yielded himself a prisoner on the 15th February 1474.⁴

Projected
royal
expedition
against
France.

Meanwhile people were looking forward to a royal expedition against France. It was for this the 13,000 archers were to be raised, and it was agreed in Parliament that if the expedition did not take place before Michaelmas 1474, the money collected for the purpose should be repaid. As the time drew near, however, it was found impossible to carry out the project quite so soon. The tenth voted in November 1472 had been assessed by the commissioners before February 1473 over all the kingdom, except five northern shires, and one or two separate hundreds and wapentakes. But the total amount of the assessment had only produced £31,410 : 14 : 1½, a sum which to the modern reader will appear inconceivably small as the proceeds of a ten per cent. income and property tax for nearly the whole of England. It was in fact not sufficient for the purpose intended; even such a tax, strange to say, could not maintain 13,000 archers; and the Commons, as we have already said, voted one-tenth and one-fifteenth additional. This impost, however, was not immediately levied. On the 26th

¹ No. 841.

² No. 843.

³ *Close Roll*, 13 Edw. IV., m. 8.

⁴ No. 846. Warkworth, 27.

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March 1473 a truce was made at Brussels between England and Burgundy on the one side, and France on the other, till the 1st April 1474.¹ After it expired Edward announced to his Parliament that he intended as soon as possible to invade France in person; but as it was not likely that he could do so before Michaelmas following, the time at which the money was to be repaid to the taxpayers, in case of the expedition not taking place, was prolonged to St. John Baptist's Day (24th June) in 1476.²

The taxation pinched every one severely. 'The king goeth so near us in this country,' wrote Margaret Paston, 'both to poor and rich, that I wot not how we shall live but if the world amend.' The two taxes came so close upon each other that they had to be paid at one and the same time.³ And to those who, like Sir John Paston, were in debt and trying to raise money for other purposes, the hardship was extreme. So many were selling corn and cattle that very little was to be realised in that way. Wheat was but 2s. 4d. a comb, and malt and oats but tenpence. During the year 1473 Sir John had applied in vain to his mother for a loan of £100 to redeem the manor of Sporle, which he had been obliged to mortgage. He had already been driven to sell a portion of the wood, and had thoughts of giving a seven years' lease of the manor to a neighbour of the name of Cocket, on receiving six years' rent in ready money.⁴ But in 1474, having received £100 from the executors of Lyhart, Bishop of Norwich, in satisfaction of some old claim, his mother consented to lend another sum of like amount, which would enable him, with a very little further help from some other quarter, to meet the demands of Townsend the mortgagee.⁵ In the end, however, a sum of £142 : 13 : 4 was advanced by his uncle William, and some other moneys by Margaret Paston, partly on the security of her own plate, and partly on that of Sir John Paston's lands in the hundred of Flegg.⁶

A.D. 1474.
Effects of
severe
taxation.

¹ No. 832. It is curious that we have no notice of this truce in Rymer.

² *Rolls of Parl.* vi. 113-14.

³ No. 871. 'William Pecock shall send you a bill what he hath paid for you for two tasks (*taxes*) at this tyme.' Margaret Paston to Sir John, 23rd May 1475.

⁴ Nos. 828, 831, 842, 865.

⁵ No. 856.

⁶ No. 865.

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Arrangement with
Bishop
Waynflete.
The
college at
Caister
abandoned.

About the same time Sir John came to an understanding with Bishop Waynflete about the lands of Sir John Fastolf; and the bishop having obtained a dispensation from the Pope enabling him to apply the endowments of Fastolf's intended college at Caister to the support of Magdalen College, Oxford, a division was made of the Norfolk lands between him and Paston. Sir John was allowed to enjoy Caister and the lands in Flegg, if he could recover them from the Duke of Norfolk, with the manor of Hellesdon, Tolthorpe, and certain tenements in Norwich and Earlham; but he gave up Drayton to the bishop. And so terminated one long-standing controversy.¹

Anne
Paston
engaged to
William
Yelverton.

An event in the family now claims our notice, although the allusions to it are but slight, and the manner in which it is referred to is quite in keeping with that strange absence of domestic feeling which is so painfully characteristic of the times. Anne Paston, Sir John's sister, had come to a marriageable age; and her mother disposed of her hand to William Yelverton, a grandson of the judge, although she had an offer from one of the family of Bedingfield.² The engagement had lasted at least a year and a half, when Sir John Paston in London heard news that she had been exceedingly unwell; on which he quietly remarks that he had imagined she was already married. It seems scarcely possible to attribute this ignorance to any unusual detention of letters between Norwich and London; so that we are almost driven to conclude that his sister's marriage was an event of which Sir John did not expect to receive any very special intimation. The news even of her sickness, I suspect from the manner in which he refers to it, was conveyed to him not by letters from home, but by Yelverton, her intended husband, who had come up to London. Nor must it be supposed that Yelverton himself was deeply concerned about her state of health; for it was certainly not with a lover's anxiety that he communicated the intelligence to Sir John. In fact the marriage, so far from being a thing already accomplished, as Sir John supposed, was a matter that still remained uncertain. 'As, for Yelverton,'

¹ Nos. 834, 859.

² No. 804.

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writes Sir John himself, 'he said but late that he would have her if she had her money, and else not; wherefore me thinketh that they be not very sure.' Still the old song of 'Property, property,' like Tennyson's 'Northern Farmer.' And how very quietly this cold-hearted brother takes the news that the marriage which he thought already accomplished might very likely never take place at all! 'But among all other things,' he adds, 'I pray you beware that the old love of Pampyng renew not.' What, another sister ready to marry a servant of the family? If she could not have Yelverton, at least let her be preserved from that at all hazards.¹

Such was the state of matters in November 1473. And it seems by the course of events that Pampyng was not allowed to follow the example of Richard Calle. Anne Paston remained unmarried for about three and a half years longer, and the family, despairing of Yelverton, sought to match her somewhere else;² but between March and June of the year 1477, the marriage with Yelverton actually took place.³ Of the married life of this couple we have in the Paston Letters no notices whatever; but one incident that occurred in it we learn from another source. Yelverton brought his bride home to his own house at Caister St. Edmund's, three miles from Norwich. Some time after their marriage this house was burned down by the carelessness of a servant girl while they were away at the marriage of a daughter of Sir William Calthorpe. The year of the occurrence is not stated, but must, I think, have been 1480, for it happened on a Tuesday night, the 18th of January, the eve of St. Wolstan's Day.⁴ Now the 18th of January did not fall on a Tuesday during their married life in any earlier year, and

¹ Nos. 842, 843.

² No. 885.

³ Margaret Paston speaks of 'my son Yelverton' in June 1477.—No. 913. But Anne appears to have been unmarried at least as late as the 8th March 1477.—See No. 901.

⁴ 'Memorandum, quod manerium. . . . Yelverton generosi in villa de Castre Sancti Edmundi, per iii. miliaria de civitate Norwici, in nocte diei Martis, 18 diei Januarii, videlicet in vigilia Sancti Wolstani, dum modo dictus Yelverton, cum filia Johannis Paston senioris, uxore dicti Yelverton, fuerunt ad nupcias filie Willelmi Calthorp militis, fuit per negligenciam parvæ puellæ in lectisternio leti (quæ lecti?) per candellam igne consumptum.—W. Worc. *Itin.*, 269.

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it did not so fall again till 1485, when William Worcester, in whose itinerary the event is recorded, was certainly dead.

John
Paston's
marriage
prospects.

John Paston, too, was seriously thinking of taking a wife ; and, that he might not be disappointed in an object of so much importance, he had two strings to his bow. We must not, however, do him the injustice to suppose that he had absolutely no preference at all for one lady over another ; for he writes his full mind upon the subject to his brother Sir John in London, whom he commissions to negotiate for him. If Harry Eberton the draper's wife were disposed to 'deal' with him, such was the 'fantasy' he had for Mistress Elizabeth Eberton, her daughter, that he requests his brother not to conclude 'in the other place,' even though old Eberton should not be disposed to give her so much dowry as he might have with the second lady. Nevertheless Sir John is also requested to ascertain 'how the matter at the Black Friars doth ; and that ye will see and speak with the thing yourself, and with her father and mother or ye depart ; and that it like you to desire John Lee's wife to send me a bill in all haste possible, how far forth the matter is, and whether it shall be necessary for me to come up to London hastily or not, or else to cast all at the cock.'¹ The reader, we trust, is fully impressed with the businesslike character of this diplomacy, and he ought certainly not to be less so with the appropriateness of the language employed. 'If Mrs. Eberton will *deal* with me,' and 'Speak with *the thing* yourself.' How truly does it indicate the fact that young ladies in those days were nothing but mere chattels !

It happened, however, that neither the 'thing' at the Black Friars, nor the lady for whom he had the somewhat greater 'fantasy,' was to be attained. Apparently the former was the daughter of one Stockton, and was married about four months later to a man of the name of Skerne. She herself confidentially told another woman just before her marriage that Master Paston had once come to the place where she was with twenty men, and endeavoured to take her away. As for Eberton's daughter, the matter quietly dropped, but before it

¹ No. 850.

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was quite broken off John Paston had engaged his brother's services as before in a new matter with the Lady Walgrave. Sir John Paston executed his commission here too with the utmost zeal to promote his brother's suit ; but he received little comfort from the lady, and could not prevail upon her to accept John Paston's ring. Indeed she told him plainly she meant to abide by an answer she had already given to John Paston himself, and desired Sir John no more to intercede for him. Sir John, however, had secured possession of a small article belonging to her, a muskball, and told her he meant to send it to his brother, without creating in her any feeling of displeasure. Thus the lover was still left with some slight gleam of hope—if, at least, he cared to indulge it further ; but it does not appear by the correspondence that he thought any more either of Lady Walgrave or of Elizabeth Eberton.¹

We have omitted to notice an incident characteristic of the times, which ought not to pass altogether unrecorded. The year before these love passages took place, John Paston took a voyage to Spain on pilgrimage to the shrine of St. James of Compostella.² He sailed, or was about to sail, from Yarmouth early in July, for the letters only allude to the voyage when he was on the eve of departure, and he declared his purpose of coming home again by Calais, where his brother expected to see him within a month after he left.³ It does not appear what prompted this pious expedition, unless it was the prevalence of sickness and epidemics in England. Margaret Paston's cousin, John Berney of Reedham, died in the beginning of that year ;⁴ and the letter, which first speaks of John Paston's intended pilgrimage, records also the deaths of the Earl of Wiltshire and the Lord Sudley, and mentions a false rumour of the death of Sir William Stanley.⁵ The death of Sir James Gloys, Margaret Paston's priest, occurred about four months later ; and the same letter in which that event is mentioned says also that Lady Bouchier (I presume John Paston's old flame, though she was now the wife of Thomas Howard) had been nearly dead, but had recovered.⁶ It is

¹ Nos. 858, 860.

⁴ No. 833.

² Nos. 833, 836.

⁵ No. 842.

³ No. 825.

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evident that the year was one of great mortality, though not perhaps quite so great as that of two years before.

Illness of
Sir John
Paston.

During the autumn of the year following, Sir John Paston had an illness, which probably attacked him in London, and induced him to remove into Norfolk. After a little careful nursing by his mother, his appetite returned, and he felt himself so much stronger that he went back again to London to see to his pecuniary affairs, which required careful nursing as much as he had done himself. His brother Edmund, too, had been ill in London about the same time, but he found him 'well amended'; which was, perhaps, not altogether the case with himself, for during the winter he had a return of fever, with pain in the eyes and in one of his legs, particularly in the heel.¹ Sir John, however, was not the man to make much of a slight indisposition. About Christmas or the New Year he had gone over to Calais; and while his mother was solicitous about the state of his health, he said nothing about it, but wrote that he was going into Flanders, and hoped to get a sight of the siege of Neuss.² On receipt of his mother's letter, however, he wrote back that he was perfectly well again, except that the parts affected were still tender.³

Siege of
Neuss.

This siege of Neuss—a town on the Rhine near Düsseldorf—was an undertaking of Charles the Bold, Duke of Burgundy, on which the eyes of the whole world were riveted, and especially of Englishmen. A body of 3000 English took part in the operations.⁴ But the work was arduous, and in the end proved ineffectual. Not only was the attempt a failure, but it caused the breakdown of other projects besides. The duke had hoped to be master of the place before the truce with France expired in June 1475, and afterwards to join with Edward in an invasion of that country, in which he was bound by treaty to co-operate. But month after month slipped away, and the Burgundian forces were still detained before Neuss, so that he was unable strictly to fulfil his engagement. His cunning enemy Louis saw his advantage in the circumstance, and contrived to cool Edward's ardour

¹ Nos. 856, 862, 863, 865.
No. 865.

² No. 867.

⁴ Comines, Book iv. ch. i.

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for the war by arts peculiarly his own. He received with the greatest possible politeness the herald sent by Edward to defy him; asked him to a private conference; told him he was sure his master had not entered on the expedition on his own account, but only to satisfy the clamour of his own people and the Duke of Burgundy. He remarked that the duke, who had not even then returned from Neuss, had lost the flower of his army in the siege, and had occasioned the waste of so much time that the summer was already far spent. He then suggested that the herald might lay these and other considerations before his master to induce him to listen to a peace; and he dismissed him with a handsome present.¹

The herald did what was expected of him, and the result told in two ways. Edward's vanity was flattered and his cupiditv was excited. The King of France, it seemed, stood in awe of him, and did not wish to fight. He was willing to pay handsomely for peace. How much easier, after all, to accept a large yearly tribute in recognition of his sovereignty over France than to vindicate it by conquering the country! Arguments, too, were not wanting in the shape of private pensions offered by Louis to the Lords of the English Council. Not, of course, that English noblemen regarded these gratuities as bribes—Lord Hastings, at least, stood upon his dignity and refused to give a receipt for money which was but a free-will offering on the one part, and involved no obligation on the other.² Still the money was very acceptable, and there was no doubt a great deal of weight in the arguments addressed by Louis to the herald. Indeed, any one worthy to be called a statesman knew quite well that the idea of conquering France was altogether chimerical.

This was true; but it would scarcely have been pleasant news to the nation at large, which had been taxed and taxed again for the sake of that same chimerical idea, to have been informed of what was going on in the king's council-chamber. For not only had a tenth been voted one year, and a tenth and fifteenth another, but the wealthy had been solicited to make still further contributions in a form till now unheard of

¹ Comines, Book iv. ch. v.

² *Ibid.* ch. viii.

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Benevo-
lences.

—contributions called ‘benevolences,’ because they were supposed, by a cruel irony, to be offered and given with good will.¹ For the nation was quite sufficiently aware—there were many then alive who could testify it from past experience—that it was a difficult and costly business to make any conquests in France; and everybody had been pricked and goaded to furnish what he could towards the equipment of the expedition out of his own resources.

Peace with
France.

Sir John Paston’s brothers, John² and Edmund,³ and probably another named Clement, of whom we have very little notice in the correspondence, went over in the king’s great army to Calais. Sir John himself had been in Calais for some time before, and his mother commended his younger brothers to his care, urging him to give them the benefit of his advice and experience for their safety, as some of them were but young soldiers.⁴ Margaret Paston need not have been so anxious if she had been in the secrets of the Cabinet. No blood was drawn in that campaign. The army had crossed the sea in the end of June, and peace was already made in the end of August. Nominally, indeed, it was but a seven years’ truce, but it was intended to be lasting. For a payment of 75,000 crowns in ready money, a pension of 50,000 crowns a year, and an undertaking that the Dauphin should hereafter marry Edward’s eldest daughter, and that Louis should give her a dowry of 60,000 livres a year, the king consented to withdraw his forces and trouble France no longer with his claims.⁵

Was it a triumph or a humiliation? an easy victory of Edward over Louis, or of Louis over Edward? The thing

¹ *Contin. Chron. Croyl.* p. 558. The king, as is well known, went about soliciting contributions personally. During the year 1474, as appears by his Privy Seal dates, he visited Leicester, Nottingham, Derby, Coventry, Guildford, Farnham, Kenilworth, Worcester, Gloucester, Bristol, and Cirencester, in different excursions, returning to London in November; after which he again set out, going this time into Suffolk. He was at Bury on the 5th and 7th December, and at West Thorpe, on the northern confines of the county, on the 8th. From this it appears (though the Privy Seal dates do not show it) that he must have gone on to Norwich. After which we find him at Coventry on the 26th, so that he probably spent his Christmas there. That he visited Norwich about that time, and solicited benevolences there, is evident from Letter 863.

² Nos. 868, 876.

³ No. 873.

⁴ No. 871.

⁵ Rymer, xii, 14-21.

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might be, and was, looked at from different points of view. The English considered that they had forced France to pay tribute; the French king chuckled at having made Edward his pensioner. Louis, doubtless, had the best of the bargain, for he had managed to sow division between England and Burgundy, and to ward off a very serious danger from France. But common-place, dull-witted Englishmen saw the thing in a different light, and Sir John Paston gave thanks to God when he reported that the king's 'voyage' was finished and his host returned to Calais.¹

Sir John, however, was the worse of his abode in Calais air.² He had felt himself strong and vigorous when upon the march, but on the return of the army to Calais he was again taken ill in eight days. We may, perhaps, suspect that it was another outbreak of his old disease, and that he never allowed himself sufficient rest to make a perfect recovery. But it may be that from the general neglect of proper sanitary arrangements, pestilence was still rife both in Calais and in England. Six weeks later his brother John at Norwich was also much troubled with sickness.³

Sir John Paston and Caister

When Sir John Paston returned to England, the first thing that he had to consider was how to meet a debt to his uncle William which was due at Michaelmas.⁴ William Paston is a member of the family of whom we totally lose sight for many years after the very beginning of Edward's reign; but his pecuniary relations with his nephew about this time cause him again to be spoken of and to take part in the correspondence.⁵ He was, doubtless, a rich man, although we find him pledging some of his plate to Elizabeth Clere of Ormesby.⁶ He was one of the trustees of Elizabeth, Countess of Oxford, the mother of the banished earl.⁷ He had married, probably since the decease of his brother the eldest John Paston, the Lady Anne Beaufort, third daughter of Edmund, Duke of Somerset,

¹ No. 875.

⁵ Nos. 854, 855, 856.

² *Ibid.*

⁶ No. 851.

³ No. 877.

⁷ No. 845.

⁴ No. 875.

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a lady of a wealthy family ; and he occupied the great mansion called Warwick's Inn, near Newgate, which had been the town-house of the mighty Kingmaker. His mother, Agnes Paston, lived there along with him.¹ Of his family we may mention here that the first child he had by the Lady Anne was a daughter named Mary, born, as we know from an old register, on St. Wolstan's Day, the 19th January 1470. The second, more than four years later, was also a daughter, and having been born on Tuesday the 19th July 1474, the eve of St. Margaret's Day,² was christened Margaret next day at St. Sepulchre's Church, having for her godfather the Duke of Buckingham, and for her godmothers, Margaret, Duchess of Somerset,³ and Anne, Countess of Beaumont.⁴ Neither of these two daughters, however, survived him. The second, Margaret, died four months after her birth, at a time when her father was absent from London, and was buried before he came home.⁵ In the end, the lands of William Paston descended to two other daughters, for he had no sons.

Money
matters.

At this time Sir John had only borrowed of his uncle £4, a sum not quite so inconsiderable in those days as it is now, but still a mere trifle for a man of landed property, being perhaps equivalent to £50 or £60 at the present day. He repaid the money about November 1474, and his uncle, being perhaps agreeably surprised, inquired how he was going to redeem a mortgage of 400 marks held by one Townsend on the manor of Sporle. William Paston was already aware that Sir John had received a windfall of £100 from the executors

¹ No. 856.

² Our authority is very particular as to the time, and gives not only the day but the hour. 'Inter horam post nonam et horam ante horam secundam, viz., ~~fepe~~ dimidium horam ante horam secundam, luna curren., et erat clara dies.'

³ Mother of the Lady Margaret Beaufort, Countess of Richmond, who was the mother of King Henry VII.

⁴ So according to Sandford's Genealogy of the Paston family in Mr. Worship's communication to the *Norfolk Archaeology*. But who was Anne, Countess of Beaumont? I find no Earl Beaumont in the peerage, but there was a William, Viscount Beaumont, who succeeded his father in that title in 1459. According to Dugdale, he had two wives, the first of whom was named Elizabeth, and the second Joan. His mother, who may have been living at this time, was also named Elizabeth, but I can find no Anne.

⁵ No. 857.

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of Walter Lyhart, Bishop of Norwich, who died two years before, and that some one else had offered to advance another £100, which left only 100 marks still to be raised. He was afraid his nephew had been compelled to offer an exorbitant rate of interest for the loan. Sir John, however, being pressed with his questions, told him that his mother had agreed to stand surety for the sum he had borrowed; on which William Paston, to save him from the usurers, offered to advance the remaining 100 marks himself, and with this view placed, apparently unsolicited, 500 marks' worth of his own plate in pawn. Sir John thought the plate was in safer custody than it would have been at Warwick's Inn, where, in his uncle's absence, it remained in the keeping of his aged grandmother; but he was anxious, if possible, not to lay himself under this kind of obligation to his uncle.¹

The manor of Sporle was redeemed, but apparently not without his uncle William's assistance. Some other land was mortgaged to his uncle instead; but the transaction was no sooner completed than Sir John declared he felt as much anxiety about the land in his uncle's hand as he had before about that which was in Townsend's. His mother, too, was not a little afraid, both for the land and for her own securities. She suspected William Paston was only too anxious to gain some advantage over them. She was jealous also of the influence he exercised over his aged mother, who had recently recovered from an illness, and she wished the old lady were again in Norfolk instead of living with her son in London.²

Sir John remained in debt to his uncle for at least a year,³ and whether he repaid him at the end of that time I cannot tell; but certainly, if out of debt to his uncle, he was two or three years later in debt to other men. In 1477 he was unable to meet promptly the claims of one named Cocket, and was labouring once more to redeem the manor of Sporle, which he had been obliged to mortgage to Townsend a second time. His mother, annoyed by his importunity for assistance, told him flatly she did not mean to pay his debts, and said she

¹ No. 856.

² Nos. 857, 862, 863.

³ No. 875.

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grieved to think what he was likely to do with her lands after her decease, seeing that he had wasted so shamefully what had been left him by his father.¹

Sir John
Paston's
claim to
Caister.

But, however careless about his other property, Sir John, as we have already remarked, always showed himself particularly anxious for the recovery of Caister. During the whole of the year 1475, when he was abroad at Calais and with the army, he makes frequent reference to the matter in his letters. His brother John and his uncle William had undertaken to urge his suit in his absence to my lord and lady of Norfolk; but he would have come home and brought it before the king in Parliament, had not the French king at that time come to the confines of Picardy, and made the Council of Calais anxious to retain the services of every available soldier on that side of the sea.² He was impatient at the non-fulfilment of a promise by Bishop Waynflete—'the slow Bishop of Winchester,' as he called him—to entreat the duke and duchess in his favour.³ But he was consoled by news which reached him before he came home, that the king himself had spoken to the Duke of Norfolk on the subject, and that, though the matter was delayed till next term, the king had commanded the duke to take good advice on the subject and be sure of the validity of his title, for justice would certainly be done without favour to either party.⁴ This report, however, was rather too highly coloured. The Duchess of Norfolk denied its accuracy to John Paston. The king, she said, had only asked the duke at his departure from Calais how he would deal with Caister, and my lord made him no answer. The king then asked Sir William Brandon, one of the duke's principal councillors, what my lord meant to do about it. Brandon had already received the king's commands to speak to the duke on the subject, and he said that he had done so; but that my lord's answer was 'that the king should as soon have his life as that place.' The king then inquired of the duke if he had actually said so, and the duke said yes. On this the king simply turned his back without another word, although, as my lady informed

¹ Nos. 916, 917.

² No. 864.

³ No. 873.

⁴ Nos. 875, 876.

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John Paston, if he had spoken one word more, the duke would have made no refusal. John Paston, however, informed her ladyship that he would no longer be retained in the duke's service.¹

Sir John drew up a petition to the king upon the subject. He showed that the duke had been originally led to lay claim to Caister by the malice of Sir William Yelverton, William Jenney, and Thomas Howes, who were enfeoffed of that and other lands to his use; that upon their suggestion the duke had entered the manor by force, and also taken from him 600 sheep and 30 neat, besides one hundred pounds' worth of furniture; that he had done damage to the place itself which 200 marks would not suffice to repair, and that he had collected the revenues of the lands for three years to the value of £140. By the mediation of the Bishop of Winchester, the duke had afterwards restored him to possession of the manor on payment of 500 marks, and released to him his estate and interest therein by a deed under the seals of himself and his co-feoffees, and of the Bishop of Winchester. Sir John, however, had remained in possession only half a year, during which time he had laid out 100 marks in repairs, and £40 for the 'outrents' due for the three years preceding, when the duke again forcibly entered the manor, and had kept possession from that time for the space of four years and more, refusing to hear any remonstrances on the subject, or to allow Sir John to come to his presence. Moreover, when Sir John had applied to any of my lord's council, requesting them to bring the matter before his lordship, they told him that they had mentioned his request, but that he was always so exceedingly displeased with them that they did not dare to urge it. Thus Sir John had lost all his cost and trouble for four years, and thrown away 500 marks to no purpose.²

This petition was probably never presented to the king. It must have been drawn up in the end of the year 1475, and in the middle of January 1476 the Duke of Norfolk suddenly died.³ The event seems to have occurred at his seat at Framlingham, and Sir John Paston, who writes to notify it to his

His
petition to
the king.

A.D. 1476,
16th Jan.
Death of
the Duke
of Norfolk.

¹ No. 877.

² No. 879.

³ No. 881.

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brother, must have been there at the time,¹ intending perhaps to have made one last effort with the duke's council or himself, before applying for justice to the king. But matters now stood on a different footing, and Sir John, after making his intention known to the duke's council, sent a messenger named Whetley to Caister to assert his rights there. Considering all that had passed, the act could not reasonably have been wondered at; but his brother John intimated to him a few days later that it was resented by some of the late duke's servants, as showing great want of respect for their master.² This imputation Sir John repudiated, pointing out most truly that no wise man could have blamed him, even if he had anticipated the duke's decease, and entered Caister an hour before it took place. Indeed, considering the justice of his claim, no one could be sorry to see Sir John in possession, who was a real friend to the duke, and loved the weal of his soul.³

It is curious to see the notions entertained in that day of the respect due to a duke, even from those whom he had very seriously wronged. However, Sir John Paston was not backward in yielding all that was conventionally due; and in the very letter in which he intimated the duke's death to his brother, he says he had promised his council the loan of some cloth of gold for the funeral. The article was one which it was difficult to procure in the country, and he proposed to lend them some that he had bought for his father's tomb.⁴ His mother afterwards authorised him to sell it to them, if he could get a sufficient price for it.⁵

¹ Sir John's letter is distinctly dated Wednesday the 17th January, 15 Edward IV. (1476), and he says the event took place 'this night about midnight.' It is scarcely probable, however, that he wrote within an hour of the occurrence, as he mentions having spoken after it with the duke's council about furnishing cloth of gold for the funeral. I suppose therefore that the death took place on the night between the 16th and the 17th, and that Sir John wrote on the following morning. The date given in the *Inquisition post mortem* (17 Edw. IV., No. 58) is, strange to say, erroneous; for it was found in twelve different counties that the duke died on *Tuesday after Epiphany*, in the fifteenth year of Edward IV., which would have been the 9th January instead of the 16th. These inquisitions, however, were not taken till more than a year and a half after the event, and it is clear the date they give is wrong by a week; but they may, nevertheless, be taken as additional evidence that the duke died on a Tuesday and not on a Wednesday.

² No. 883.

³ No. 884.

⁴ No. 881.

⁵ No. 882.

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Sir John, however, after a brief visit to Norwich, hastened up to London. Now was the time that application must be made to the king; for it would be found by the inquisition that the Duke of Norfolk had actually died seised of the manor of Caister, and, unless efficient protest were made, the title would be confirmed to his widow.¹ Sir John's chief fear seems to have been that writs of *diem clausit extremum* would be issued before he had an opportunity of urging reasons for delay; in which case the inquisition would speedily be taken, and all that he could do would be to set forth his claim to the escheator before whom it was held. But he soon found that he need not be over anxious on this account. The duchess herself was anxious that the writs should not be issued too precipitately, and John Paston told his brother that he 'need not deal over largely with the escheators.'² The duchess, on the other hand, was suspicious of Sir John, and was warned to be upon her guard lest he should attempt to retake Caister by the strong hand. A favourable opportunity might have been found for such an attempt at that time, as the moat was frozen and could have been crossed with ease. John Paston, however, assured the duchess that his brother intended to make no entry without her knowledge and assent. The matter at last was brought before the king's council, and was decided in Sir John Paston's favour in May following, all the lords, judges, and serjeants pronouncing his title good. Privy seals were then made out for the duchess's officers to give up possession, and seven years after the siege of Caister, Sir John was once more the acknowledged master of the place.³ Recovery
of Caister.

The whole story of the duke's claim to Caister and of his injustice towards Sir John was finally recorded in the inquisition, which was taken, after an unusual delay, in October of the year following. It was shown that Yelverton, Jenney, and Howes, acting without the assent and against the will of the other trustees of Sir John Fastolf's lands, but in their names, had made a charter granting to the duke and to Thomas Hoo, Sir Richard Southwell, William Brandon, Ralph Asheton, John Tymperley, and James Hobert, the manors of Caister in Flegg,

¹ No. 882.

² No. 885.

³ Nos. 891, 892.

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by Great Yarmouth, called Redham Hall, Vaux, and Bosouns. This charter, which was not sealed, was shown to the jury, and it appeared that the said Yelverton, Jenney, and Howes had thereby demised what had belonged to them, that is to say, three out of eight parts of the same manors, to the said duke and the others. Afterwards the same duke and his co-feoffees, by the mediation of the Bishop of Winchester, seeing that the said demise and enfeoffment was against conscience, and in consideration of 500 marks paid by the bishop at the charge of Sir John Paston, enfeoffed John, Bishop of Hereford, John, Bishop of Coventry and Lichfield, and nine others, to the use of Sir John Paston. These again, by another deed, gave up their trust to Sir John Paston, and to Guy Fairfax and Richard Pigot, serjeants-at-law, John Paston, Esquire, and Roger Townsend, whom they enfeoffed to the use of Sir John Paston and his heirs for ever. Then the other trustees of Sir John Fastolf enfeoffed the same Sir John Paston, Fairfax, and the others in the same way; so that these last became seised to Sir John's use of the whole property—not merely of the three-eighths originally demised by Yelverton, Jenney, and Howes, but also of the remaining five-eighths—until they were violently disseised by the duke, who enfeoffed thereof Thomas, Archbishop of Canterbury, William, Bishop of Winchester, Henry, Earl of Essex, Richard Southwell, James Hobert, Richard Darby, clerk, and John York. After this the duke died; but while he lived, Sir John Paston had continually laid claim to the manors in his own name and in that of the said Guy Fairfax and others, sometimes entering the same, and sometimes going as near as he could with safety to himself. Finally, he entered after the duke's death, and had been seised for a long time when the inquisition was taken. The duke, therefore, it was found, did not die seised of the manors. It was further found that these manors were holden of the Abbey of St. Benet's, Hulme.¹

¹ *Inquisition post mortem*, 17 Edw. iv., No. 58.

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Death of Charles the Bold

The allusions to public affairs contained in the letters about this time are of some interest. News came from Rome that a great embassy, consisting of Earl Rivers, Lord Ormond, Lord Scrope, and other lords of England, had been honourably received by the pope, but after their departure had been robbed of their plate and jewels at twelve miles' distance from Rome. On this they returned to the city to seek a remedy for the property they had lost was worth fully a thousand marks. In the same letter mention is made of the conquest of Lorraine by the Duke of Burgundy, and his disastrous expedition into Switzerland immediately after. By the first of these events the prospects of Margaret of Anjou were seriously impaired, and the French king paid less attention to her interests. In the second, the victorious career of Charles the Bold had been already checked by the first great defeat at Grandson. His vanguard had been broken, his artillery captured by the Swiss, his whole army repulsed, and booty of enormous value left in the hands of the enemy. 'And so,' as Sir John Paston reports the matter, 'the rich saletts, helmets, garters, nowches gilt, and all is gone, with tents, pavilions, and all; and so men deem his pride is abated. Men told him that they were froward karls, but he would not believe it. And yet men say that he will to them again. God speed them both!'¹

Defeat
of the
Duke of
Burgundy
by the
Swiss.

This expectation, as we know, was verified, and the result was that the defeat of Charles at Grandson was followed by another still more decisive defeat at Morat. Yet Charles, undaunted, only transferred the scene of action to Lorraine, where he met with his final defeat and death at Nancy. The event made a mighty change. The duchy which he had nearly succeeded in erecting into an independent kingdom, and which, though nominally in feudal subjection to France, had been in his day a first-rate European power, now fell to a female. The greatness of Burgundy had already departed, and the days of its feudal independence were numbered. To England the state of matters was one of deep concern, for, should France

His death.
A.D. 1477,
5th Jan.

¹ No. 889.

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turn hostile again, the keeping of Calais might not be so easy, unless the young Duchess Mary could succeed in organising a strong government in the Low Countries. A Great Council was accordingly convoked by the king, and met on the 18th of February. The world, as Sir John Paston wrote, seemed to be 'all quavering.' Disturbance was sure to break out somewhere, so that 'young men would be cherished.' A great comfort this, in Sir John's opinion, and he desires his brother John to 'take heart' accordingly.¹

Conclusion of the Family History

John
Paston and
Margery
Brews.

His brother John, however, found occupation of a more peaceful character. About this very time he had met with a lady named Margery Brews, daughter of Sir Thomas Brews, and had clearly determined in his own mind that she would be a desirable wife for him. In the spring of the year 1476, he had heard that a certain Mrs. Fitzwalter had a sister to marry, and thought his brother Sir John might negotiate a match for him in that quarter;² but the affair fell through, apparently because his brother refused to stand surety that he would make her a jointure of 50 marks a year.³ Not many months, however, passed away, when he and Dame Elizabeth Brews were in correspondence about his proposed marriage with her daughter. He had promised the mother not to speak his mind to the young lady herself till he had come to an agreement with her parents; but Margery, I suppose, had read his purpose without an explicit declaration, or had forced it out of him. At all events she was no coy heroine of the modern type, but had a very decided mind upon the subject, and gave her mother no peace with her solicitations to bring the matter to effect.⁴

A.D. 1477,
Feb.

Her mother, for her part, was not unwilling, and believing that pecuniary matters might be easily arranged with her husband, wrote to John Paston in February, reminding him that Friday was Valentine's Day, when every bird chose him a mate. She also invited him to visit her on Thursday night,

¹ No. 900.

² No. 890.

³ No. 892.

⁴ Nos. 894, 895, 896.

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and stay till Monday, when she hoped he would have an opportunity of speaking to her husband. In fact, she showed herself quite eager for the match, and alluding apparently to some difficulty made by her husband to terms that had been already offered, said it was but a simple oak that was cut down at the first stroke.¹ Thus encouraged, John Paston persevered in his suit, and Margery wrote him very warm and ardent letters, calling him her well-beloved valentine, and vowing that she would accept him with half the 'livelode' he actually possessed.² The question, however, was how much the father could afford to give along with his daughter, and what Margaret Paston and Sir John could do that they might have a reasonable settlement. Sir John Paston's answer was very discouraging. He felt himself in no condition to help his brother, and after pointing out the difficulty of acting on some of his suggestions, he added in a surly fashion: 'This matter is driven thus far forth without my counsel; I pray you make an end without my counsel. If it be well, I would be glad; if it be otherwise, it is pity. I pray you trouble me no more.'³

Margaret Paston, however, showed a mother's heart in the affair, and consented to entail upon the young people her manor of Sparham, if Sir John would consent to ratify the gift, and forgo his prospective interest in the succession. Even to this Sir John would not quite consent. He wished well to his brother, owned that it would be a pity the match should be broken off, and did not wonder at what his mother had done; but he saw reasons why he could not 'with his honesty' confirm it. He did not, however, mean to raise any objection. 'The Pope,' he said, 'will suffer a thing to be used, but he will not license, nor grant it to be used nor done, and so I.' He would be as kind a brother as could be, and if Sir Thomas Brews was afraid he might hereafter disturb John Paston and his wife in the possession of the manor, he was quite ready to give a bond that he would attempt no such thing. The manor was not his, and he professed he did not covet it.⁴

¹ No. 896.

³ Nos. 902, 909.

² Nos. 897, 898.

⁴ Nos. 910, 911.

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Sir John seems really to have desired his brother's happiness, though from his own bad management he knew not how to help him.¹ Hitherto he had been the mediator of all such schemes for him, probably because the younger brother believed his prospects to be mainly dependent upon the head of the house ; and I am sorry to say he had been employed in the like duty even after John Paston had begun to carve for himself. For it is clear that after receiving those warm letters from Margery Brews, in which she called him her valentine, and was willing to share his lot if it were with half his actual means, he had commissioned his brother once more to make inquiries about a certain Mistress Barly. Sir John's report, however, was unfavourable. It was 'but a bare thing.' Her income was insignificant, and she herself was insignificant in person ; for he had taken the pains to see her on his brother's account. She was said to be eighteen years of age, though she looked but thirteen ; but if she was the mere girl that she looked, she might be a woman one day.²

Perhaps, after all, like Captain Absolute, John Paston had more a mind of his own in the matter than might be inferred from his giving so many commissions to another to negotiate a wife for him. At all events, if he had not made up his mind before, he seems really to have made it up now, and he steered his way between difficulties on the one side and on the other with a good deal of curious diplomacy, for which we may refer the reader to the letters themselves.³ In the end, though Sir John seems to have been in vain urged by his mother to show himself more liberal,⁴ all other obstacles were removed, and during the autumn of the year 1477 the marriage took effect.⁵

Before Christmas in that same year, it had become apparent that children would soon follow of their union ;⁶ and after the New Year John Paston took Margery to her father's house to be with her friends a short time, while yet she could go about with ease.⁷ Their eldest child was born in the following summer, and received the name of Christopher.⁸ Other

¹ No. 913.

² No. 903.

³ Nos. 901, 904, 905, 913, 915.

⁴ No. 916.

⁵ No. 923.

⁶ *Ibid.*

⁷ No. 925.

⁸ No. 936.

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children followed very soon,¹ and by the time they had been seven years married, John and Margery Paston had two lads old enough to be sent on messages,² besides, in all probability, one or more daughters. It was, however, their second son, William,³ that continued their line, and became the ancestor of the future Earls of Yarmouth.

In the spring of 1478 Sir John Paston was again involved in a dispute with a powerful nobleman. The Duke of Suffolk revived his old claim to Hellesdon and Drayton, and ventured to sell the woods to Richard Ferror, the Mayor of Norwich, who thereupon began to cut them down. Sir John brought the matter into Chancery, and hastened up to London. Ferror professed great regret, and said he had no idea but that the manor was in peaceable possession of the duke, adding that if Sir John had sent him the slightest warning, he would have refrained from making such a bargain. This, however, was a mere pretence; for, as Sir John remarked to his brother, he must certainly have spoken about the matter beforehand with some well-informed men in Norwich, who would have set him right.⁴ At all events Ferror went on with what he had begun, and nearly the whole of Drayton wood was felled by Corpus Christi Day, the 20th day of May. Whetley, a servant of Sir John Paston, who had been sent down from London on the business, writes on that day to his master that the duke had made a formal entry into Hellesdon on Wednesday in Whitsun week. He dined at the manor-house, 'drew a stew, and took plenty of fish.' I suppose from what follows that he also held a court as lord of the manor. 'At his being there that day,' writes Whetley, 'there was never no man that played Herod in Corpus Christi play better and more agreeable to his pageant than he did. But ye shall understand that it was afternoon, and the weather hot, and he so feeble for sickness that his legs would not bear him, but there was two men had great pain to keep him on his feet. And there ye were judged.

The Duke of Suffolk again gives trouble.

¹ No. 982.

² No. 999.

³ He was a lawyer of some eminence, received the honour of knighthood from Henry VIII., and was Sheriff of Norfolk in 1517-18. He died in 1554. It was his grandson, another Sir William, whose name is so well known in Norfolk as the founder of the North Walsham Grammar School.

⁴ Nos. 929, 930.

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Some said "Slay"; some said "Put him in prison." And forth come my lord, and he would meet you with a spear, and have none other 'mends for the trouble ye have put him to but your heart's blood, and that will he get with his own hands; for and ye have Hellesdon and Drayton, ye shall have his life with it.'¹

It appears, however, that the Duke of Suffolk was not in high favour with the king, and it was considered at this time that Sir John Paston's influence at court was very high. Although the affair with Anne Haute had been broken off, it was expected that he would marry some one nearly related to the queen's family; and Margaret Paston thought it a strong argument for the match, if her son could find it in his heart to love the lady, that it would probably set at rest the question of his title to Hellesdon and Drayton.² This ambitious hope was not destined to be gratified. We know not even who the lady was that is thus referred to; and as to the dispute with the Duke of Suffolk, it remained unsettled at least a year and a half—in fact, as long as Sir John Paston lived.³

The manor
of Oxnead.

Two or three months after the beginning of this dispute, William Paston the uncle accompanied the Duke of Buckingham into Norfolk on pilgrimage to the shrine of Our Lady at Walsingham. At his coming he brought a report that there was likely also to be trouble in the manor of Oxnead, which belonged to his mother Agnes, the widow of the judge. The nature of this trouble is not stated; but apparently it was either occasioned, like the other, by a claim of the Duke of Suffolk, or it was feared the duke might attempt to profit by it. 'Wherefore I pray you,' writes Sir John Paston to his brother, 'take heed lest that the Duke of Suffolk's council play therewith now at the vacation of the benefice, as they did with the benefice of Drayton, which by the help of Mr. John Salett and Donne, his men, there was a quest made by the said Donne that found that the Duke of Suffolk was very patron, which was false; yet they did it for an evidence.' Whether the duke's council attempted the same policy on this occasion, we cannot say; but by some means or other the Paston family

¹ No. 932.

² No. 933.

³ No. 956.

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were hindered from exercising their right* of presentation, so that they very nearly lost it. A rector named Thomas, presented to the living by Agnes Paston three years before, died in March 1478. On the 5th August following, Agnes Paston made out letters of presentation in favour of Dr. Richard Lincoln, but for some reason or other this presentation did not pass; and eight days later she presented a certain Sir William Holle, who we are told ran away. Her rights, however, were contested; and after the benefice had remained more than a year vacant, some insisted that it had lapsed to the bishop by the patron not having exercised her rights within six months. She had, however, as a matter of fact, delivered Sir William Holle his presentation within that period; and though he did not avail himself of it, she was, after a good deal of trouble, allowed to present again.¹

In the spring of 1478 Margaret Paston had a serious illness, and, thinking that it would carry her off, she made her will. She lived, however, six years longer, and the will she had made was superseded by another dated on the 4th of February 1482.² For in the interval considerable changes took place in the family, which we shall mention presently. At this time she had five, if not six, sons and two daughters, but the daughters were both of them married; and, as we have already intimated, she was particularly anxious about her son Walter, who was now at Oxford being educated for the priesthood.³ He had not yet taken orders, when his mother, finding some benefice vacant, of which she expected to have the disposal,⁴ thought of conferring it upon him, and took advice upon the matter of Dr. Pykenham, Judge of the Court of Arches. She was told, however, that her intention was quite against the canon law for three reasons: first, because her son had not received the tonsure, which was popularly called Benet; secondly, he had not attained the lawful age of four-and-twenty; and thirdly, he would require to

¹ Nos. 934, 935, 936, 937, 943.

² Nos. 932, 978.

³ No. 931.

⁴ Oxnead, which was certainly vacant at the date which I have supposed to be that of Margaret Paston's application to Dr. Pykenham, was in her mother-in-law Agnes Paston's gift; but it is not at all unlikely that this was the living in question, as she may reasonably have expected to be able to prevail upon the old lady to give it to her grandson.

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take priest's orders within a twelvemonth after presentation to the benefice, unless he had a dispensation from the Pope, which Dr. Pykenham felt sure he could never obtain.¹ His progress at Oxford, however, seems to have given satisfaction to his tutor, Edmund Alyard, who reports on the 4th March 1479 that he might take a bachelor's degree in art when he pleased, and afterwards proceed to the faculty of law.² This course he intended to pursue; and he took his degree at Midsummer accordingly,³ then returned home to Norwich for the vacation. His career, however, was arrested by sudden illness, and he died in August. He left a will, hastily drawn up before his death, by which it appears that he was possessed of the manor of Cressingham, which he bequeathed to his brother John Paston, with a proviso that if ever he came to inherit the lands of his father it should go to his other brother Edmund. He also possessed a flock of sheep at Mautby, which he desired might be divided between his sister Anne Yelverton and his sister-in-law Margery, John Paston's wife.⁴

Clement.

Of Margaret Paston's other sons one named Clement is mentioned in Fenn's pedigree of the family; but he is nowhere spoken of in the correspondence. I presume that Fenn was not without authority for inserting his name in the family tree, and I have surmised that he was one of the 'young soldiers,' about whom Margaret Paston was solicitous, who went over to Calais in 1475. He may perhaps have died soon after. The absence of his name, especially in his mother's will, is at least strong presumptive evidence that he was not alive in 1482. Edmund Paston, another brother, was probably of about the same age as Walter, perhaps a year or two older; and the youngest of the family was William, who in the beginning of the year 1479 was learning to make Latin verses at Eton.⁵ He must have been at this time barely nineteen years of age;⁶ but he had precociously fallen in love with a certain Margaret Alborow. He writes to his brother John

Edmund
and
William.

¹ No. 941.

² No. 949.

³ Nos. 945, 946.

⁴ No. 950.

⁵ No. 942. See a previous letter of his, No. 939, and also a notice of his schooling as early as August 1477, when Margaret Paston writes to Sir John to pay for his board and school-hire, gowns, and other necessities (No. 917).

⁶ No. 842.

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Paston how he first became acquainted with her at the marriage of her elder sister,—that she was not more than eighteen or nineteen (which was just about his own age); that she was to have a portion in money and plate whenever she was married, but he was afraid no 'livelode' or lands till after her mother's decease. His brother John, however, could find out that by inquiry.¹ As might have been expected, this calf-love came to nothing. I do not know if William Paston ever married at all. At a more advanced age his brother Edmund writes to him offering to visit on his behalf a widow, who had just 'fallen' at Worsted, whose deceased husband had been worth £1000, and had left her 100 marks in money, with plate of the same value, and £10 a year in land.²

For Edmund Paston himself the same kind of office had been performed in 1478 by his brother John, who, having heard while in London of 'a goodly young woman to marry,' spoke with some of her friends, and got their consent to her marrying his brother. She was a mercer's daughter, and was to have a portion of £200 in ready money, and 20 marks a year in land after the decease of a stepmother, who was close upon fifty. This match, however, did not take effect, and about three years later Edmund Paston married Catherine, the widow of William Clippesby.³

The year 1479 was, like several of the years preceding, one of great mortality, and it was marked by several deaths in the Paston family. The grave had not yet closed over Walter Paston, when news came to Norwich of the death of his grandmother, old Agnes Paston, the widow of the judge. At the same time John Paston's wife, Margery, gave birth, in her husband's absence, to a child that died immediately after it was born.⁴ This perhaps was a mere accidental coincidence. Two months later Sir John Paston found it necessary to go up to London on business, partly, it would seem, about his dispute with the Duke of Suffolk, and partly, perhaps, to keep

¹ No. 942.

² No. 974.

³ No. 975. There is an oversight in the preliminary note to this letter. The date is certainly 1481, and no later, as Margaret Paston in her will makes bequests not only to Edmund and his wife Catherine, but to their son Robert, who must therefore have been born before February 1482.

⁴ No. 952.

Death of
Agnes
Paston;

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watch on the proceedings of his uncle William with regard to the lands of his grandmother ; for it appears that his uncle, who immediately on his mother's death laid claim to the manor of Marlingford,¹ had been making certain applications to the escheator on the subject, which were naturally viewed with jealousy. On his arrival in town, Sir John found his chamber ill ventilated, and his 'stuff not so clean' as he had expected. He felt uneasy for fear of the prevailing sickness, and some disappointments in money matters added sensibly to his discomfort.² He fell ill, and died in November. John Paston was on the point of riding up to London to have brought down his body with that of his grandmother, who had been kept unburied nearly three months, to lay them both in Bromholm Priory, beside his father. But he was met by a messenger, who told him that his brother had already been buried at the White Friars, in London.³

We cannot close the record of Sir John Paston's life without a certain feeling of regret. The very defects of his character give an interest to it which we do not feel in that of his father or of his brother John. He is a careless soldier, who loves adventure, has some influence at court, mortgages his lands, wastes his property, and is always in difficulties. Unsuccessful in love himself, he yet does a good deal of wooing and courting disinterestedly in behalf of a younger brother. He receives sprightly letters from his friends, with touches of broad humour occasionally, which are not worse than might be expected of the unrestrained freedom of the age.⁴ He patronises literature too, and a transcriber copies books for him.⁵ With his death the domestic interest of the Paston Letters almost comes to an end, and the quantity of the correspondence very greatly diminishes. The love-making, the tittle-tattle, and a good deal of the humour disappear, and the few desultory letters that remain relate, for the most part, either to politics or to business.

As soon as the news of his death arrived in Norfolk, John Paston wrote to his mother, desiring that his brother Edmund would ride to Marlingford, Oxnead, Paston, Cromer, and

¹ No. 953.

² No. 956.

³ No. 962.

⁴ Nos. 906-908.

⁵ No. 695.

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Caister, to intimate his right of succession to the tenants of these different manors, and to warn those of Marlingford and Oxnead to pay no rents to the servants or officers of his uncle William.¹ These two manors, the reader will remember, belonged to Agnes Paston; and her son William, with whom she lived, had doubtless watched the old lady's failing health, and made preparations even before her actual decease to vindicate his claim to them as soon as the event occurred.² The manors, however, having been entailed under Judge Paston's will, properly descended to Sir John Paston, and after his death to his brother John. In accordance, therefore, with his brother's instructions, Edmund Paston rode to Marlingford on Sunday before St. Andrew's Day, 'and before all the tenants examined one James, keeper there for William Paston, where he was the week next before St. Andrew; and there he said that he was not at Marlingford from the Monday unto the Thursday at even, and so there was no man there but your brother's man at the time of his decease' (we are quoting a letter of William Lomnour to John Paston). 'So by that your brother died seised. And your brother Edmund bade your man keep possession to your behoof, and warned the tenants to pay no man till ye had spoken to them.' In the afternoon Edmund went on to Oxnead, where a servant named Piers kept possession for Sir John Paston, and he found that William Paston's agent was not there at the time, but had ordered another man to be there in his place. Whether that amounted to a continuance of the possession of William Paston, was a point to be considered.³

As usual in such cases, farmers and tenants had everywhere a bad time of it until uncle and nephew were agreed. John Paston's men threatened those of his uncle William at Harwellbury, while, on the other hand, his uncle William's men molested those of John Paston at Marlingford.⁴ During the interval between Agnes Paston's death and that of Sir John, the tenants at Cromer had been uncertain who was to be their lord, and at Paston there was a similar perplexity.⁵ Sir John's

¹ No. 962.

² No. 940.

³ No. 963.

⁴ Nos. 970, 982, 983.

⁵ No. 957.

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bailiff ordered the Paston tenants to pay no rents to Mr. William Paston; but one Henry Warns wrote to Mr. William of the occurrence, and ordered them to pay none to any one else. After Sir John's death Warns still continued to be troublesome, making tenants afraid to harrow or sow lest they should lose their labour, pretending that John Paston had given him power over everything he had himself in the place.¹ Things went on in this unpleasant fashion for a period of at least five years.²

Death of
Margaret
Paston.

Margaret Paston survived her son Sir John five years, and died in 1484, in the reign of Richard III.³ In her very interesting will, made two years before her decease, a number of bequests of a religious and charitable kind show how strongly she felt the claims of the poor, the sick, and the needy, as well as those of hospitals, friars, anchoresses, and parish churches. From the bequests she makes to her own family, it appears that not only John Paston, her eldest surviving son, but his brother Edmund also, was by that time married, and had children. To Edmund she gives 'a standing piece white covered, with a garlick head upon the knop,' 'a gilt piece covered, with a unicorn,' a feather bed and a 'transom,' and some tapestry. To his wife Catherine she leaves a purple girdle 'harnessed with silver and gilt,' and some other articles; and to their son Robert, who must have been quite an infant, all her swans marked with 'Daubeney's mark,' to remain with him and his heirs for ever. Various other articles are left to her daughter Anne, wife of William Yelverton, to her son William, to John and Margery Paston, and to their son William and to their daughter Elizabeth (apparently Christopher Paston, the eldest child, was by this time dead), and also to Constance, a natural daughter of Sir John Paston. She also left £20 to John Calle, son of her daughter Margery, when he should come to be twenty years of age, and if he died before that, it was to be divided between his brothers William

¹ Nos. 852 and 853, which by inadvertence I have assigned to the year 1474. They are undoubtedly of the year 1479, the former being written just before Sir John Paston's death, and the latter after it.

² No. 998.

³ The exact date is given as the 4th November 1484 in a calendar prefixed to an old MS. missal in the possession of the late Mr. C. W. Reynell.

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and Richard when they grew up. To Margery Calle herself and her husband Richard she left nothing.¹

Times of Richard III. and Henry VII.

The personal interest of the correspondence is not altogether exhausted, although, as we have already remarked, it is very greatly diminished after the death of Sir John Paston. But the political interest of the remaining letters is so great, that they are almost more indispensable to the historian than the preceding ones. The brief and troubled reign of Richard III. receives illustration from two letters of the Duke of Norfolk to John Paston. The first was written in anticipation of Buckingham's rebellion, requiring him to make ready and come to London immediately with 'six tall fellows in harness, as the Kentish men were up in the Weald, and meant to come and rob the city.'² Again, on the Earl of Richmond's invasion, the duke desires Paston to meet him at Bury with a company, to be raised at the duke's expense.³ There is also a copy of King Richard's proclamation against Henry Tudor,⁴ of which, however, the text is preserved in other mss.

The troubles of the reign of Henry VII. at first were scarcely less in magnitude than those of the tyrant whom he overthrew. But somehow or other the new king had the art of discovering who was to be trusted and who was not. John Paston was soon found out to be a man deserving of confidence. Very early, indeed, in Henry's reign, he must have acquired some influence at court. Two months had not elapsed after the battle of Bosworth when we find him Sheriff of Norfolk. The Duke of Suffolk writes to him to issue proclamations in the king's name against certain rebels who were in confederacy with the Scots.⁵ The Countess of Surrey writes to him to intercede with my Lord Fitzwalter and the Earl of Oxford in behalf of her imprisoned husband.⁶ Lady Fitzhugh, a daughter of the great Kingmaker, calls him her

¹ No. 978.

⁴ No. 1001.

² No. 994.

⁵ No. 1006.

³ No. 1002.

⁶ No. 1004.

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son, and requests his favour for her daughter Anne, wife of the fugitive Yorkist rebel Francis, Viscount Lovel, whose pardon she was making importunate suit to obtain.¹ The king himself writes to him,² and the Earl of Oxford addresses letters to him as his 'right well beloved councillor.'³ The earl, of course, was his old friend, and we may presume it was through his influence that Paston was recommended to the king's favour.

Lambert
Simmel's
rebellion.

So much honour, trust, and confidence had already been bestowed on him when the rebellion of Lambert Simmel broke out in the second year of Henry's reign. Of that commotion we have some interesting illustrations, by which it is clear that the gentry of Norfolk were at first doubtful of the success of the king's cause, and that many were indisposed to obey his summons to battle. Sir William Boleyn and Sir Harry Heydon had gone as far as Thetford on their way towards Kent, when they received advice which induced them to return. Sir Edmund Bedingfield wrote to John Paston, he believed that they would not go if the king wanted them. But there were similar rumours about John Paston himself, and it was even said that he meditated mischief. It is true he had actually waited on the king, in the train, apparently, of the Earl of Oxford, one of the two generals to whom the military powers of the whole kingdom were at this time intrusted; but it was suspected, perhaps owing to the application made to him on her account, that after my lord's departure from the king he had been with the Viscountess Lovel, whose husband was among the rebel leaders. 'But wrath said never well,' adds Bedingfield in reporting this rumour to John Paston himself. It was evident that he had enemies, and it was necessary to conduct himself at such a critical period with extreme discretion.⁴

Fear of
invasion on
the East
Coast.

At this time the rebels had not yet landed in England. Nothing had been known of their movements till very lately; but the Earl of Lincoln had been in Flanders with the Lady Margaret of Burgundy, the chief organiser of the conspiracy. The East Coast, it was supposed, was chiefly threatened; and

¹ No. 1008.

No. 1010.

³ No. 1012.

⁴ No. 1014.

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the king had made a progress through Suffolk and Norfolk to animate the people to loyalty. Commissions of array had been issued for the Eastern Counties on the 7th April. On the 15th Henry kept his Easter at Norwich; after which he went on to Walsingham, and thence to Coventry.¹ News came, however, that seemed to show the East Coast was in no immediate danger. The rebels had left the Low Countries, but they had gone to Ireland. The gentlemen of the Eastern Counties were informed that the king would put them to no further charge at that time, but hoped the country would be ready on reasonable warning.²

The extraordinary farce enacted in Ireland—the recognition of Lambert Simnel as the son of Clarence, his coronation in Christ Church Cathedral, Dublin, and his enthusiastic and universal reception by a people to whom political truths have been at all times unimportant, and rebellion a mere amusement,—these were facts that could not have been easily realised by sober-minded Englishmen. The news, indeed, could scarcely have reached England very much in advance of the rebel hosts themselves, which presently crossed the sea and landed at Furness in Lancashire.³ In less than a fortnight they penetrated into the heart of England, where they were met by the king's forces and suffered a complete overthrow in the battle of Stoke. In that battle John Paston was with the king's army, and seems to have done some distinguished service, in recognition of which he was knighted by the king upon the field of battle. The same honour was conferred at that time upon fifty-one persons besides himself, while thirteen others were made knights bannerets.⁴

Sir John Paston, as he was now called, continued to maintain his influence with the Earl of Oxford and the king. The earl was Lord High Admiral, and he made Sir John his

Battle of
Stoke.
John
Paston
knighted.

Deputy to
the Earl of
Oxford as
Admiral.

¹ See Spedding's Notes in Bacon's Henry VII.—*Works of Bacon*, vi. 55, 56.

² No. 1015.

³ It was but on the 5th May, as Spedding has pointed out (*Bacon*, 56) that the principal party of the rebels landed in Ireland. On the 4th June they had crossed the Channel and landed in Lancashire. The coronation of Lambert Simnel took place on Ascension Day, the 24th May.—*Rolls of Parl.* vi. 397.

⁴ No. 1016 and Note at p. 187 (vol. vi.).

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deputy; in which capacity we find letters addressed to him about a whale taken off the coast of Norfolk,¹ and deputations waiting upon him at Caister from the corporation of Yarmouth,² besides some correspondence with the earl as Admiral.³ He got his brother William into the earl's service; and though ultimately the earl was obliged to dismiss him as being 'troubled with sickness and crased in his mind,'⁴ William Paston certainly continued many years in the earl's household. He became, in fact, a means of communication between the earl and his brother, and in one case we have an important letter addressed to the earl by the king on the subject of the war in Brittany, copied out by William Paston and forwarded to Sir John.⁵

The war in
Brittany.

The eager interest with which this war in Brittany was watched by Englishmen—the anxiety to learn what had become of English volunteers, and of the forces sent thither afterwards by the king's authority—is shown in several of the letters.⁶ The facts relating to the whole affair, and their true chronology, had been a good deal confused and mis-stated until the late Mr. Spedding, in editing Lord Bacon's *History of Henry VII.*, compared the testimony of the Paston Letters with that of other original sources.⁷ But it would take up too much space, and involve writing a complete history of the times, to show what important light is thrown upon this and other subjects of interest in the reign of Henry VII. by the scattered notices of political events contained in these letters; and we must be content, for the remainder of the period, briefly to indicate the matters of public interest referred to.

The rising in the North, in which the Earl of North-

¹ Nos. 1029, 1030.

² No. 924.

³ Nos. 1049, 1050, 1051.

⁴ No. 940.

⁵ No. 913.

⁶ Letters 1026, 1030, 1036. An allusion to this war occurs in Barclay's *Ship of Fools*, f. 152 b.:

'The battles done, perchance in small Britain,
In France, in Flanders, or to the worldes end,
Are told in the quere, of some, in wordes vain
In midst of matins in stead of the Legende,
And other gladly to hear the same intend
Much rather than the service for to hear.'

⁷ Spedding's *Bacon*, vi. 68, 72, 84, 97-8, 101-2.

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umberland was slain, is the subject of two letters;¹ and, closely connected with this subject, if our chronology is to be relied on, is an intended progress of the king into Norfolk a few weeks earlier, which was abandoned for some reason not explained. The Great Council which Henry had summoned on the affairs of Brittany appears to have been dissolved on the 3rd March 1489. Two days before it separated, the Earl of Northumberland was appointed to protect the kingdom against the Scots, and entered into indentures with the king at Sheen 'for the keeping out of the Scots and warring on them.' But instead of having an outward enemy to contend with, before two months had elapsed he found himself called upon to put down the revolt in Yorkshire, and he was killed on the 28th April.

The king, if his original designs had been adhered to, would by this time have passed through the Eastern Counties, kept his Easter at Norwich, and gone on to Walsingham. In the course of his progress he was to have visited the Earl of Oxford at his mansion at Hedingham in Essex, where William Paston, Sir John's brother, was staying in the earl's service. Sir John himself had notice from the earl to come to him with the same number of men 'defensably arrayed' as he had before granted to do the king service;³ and in anticipation of the royal visit to Norfolk, William Paston sent orders to the Bailiff of Mautby to have his horse Bayard well fed, whatever it cost, that the animal might look fat and sleek when the king came.⁴ This order, however, it must be observed, is provisional, 'if Bayard be unsold'; and perhaps the proviso may point to the reason why the royal progress was abandoned. The subsidy which caused the rising in Yorkshire was heavily felt over the whole kingdom besides; and though at another time a royal progress might have been very popular, the king doubtless saw that it would be unadvisable to add to the expenses of his subjects at a time when they were so severely taxed already.

In No. 1058 we have a list of the persons who were made Knights of the Bath on the creation of Henry, the king's

The Earl
of North-
umberland.

Intended
royal visit
to Norfolk.

Creation
of Prince
Henry as
Duke of
York.

¹ Nos. 1037, 1039.

² No. 1031.

³ No. 1032.

⁴ No. 1033.

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second son (afterwårds Henry VIII.) as Duke of York, in November 1494.¹

Perkin
Warbeck.

In July 1495, the corporation of Yarmouth write to Sir John Paston about the capture of five captains of Perkin Warbeck's host, who landed at Deal with about 140 men, when an invasion was attempted by the pretender. Whatever encouragement was given to Perkin abroad, his appearance off the coast of Kent gave little satisfaction to the inhabitants, who killed or took prisoner every man that set foot on the land. Perkin, leaving his friends to their mercy, sailed away, only creating a little disquietude as to where he would next make his appearance. One of the captains taken, whose name was Belt, said he knew he had no hope of mercy, and therefore did not mind revealing the plans of his comrades. They meant to gain possession of Yarmouth or to die for it.² If this was said in good faith, the rebels must have been so discouraged by their reception at Deal, that they changed their plans and went to Ireland. But it may of course have been said purposely in order to mislead. It was, however, effectual in creating some alarm about the safety of the town. The corporation received a promise from Sir John Paston that aid should be forthcoming, if required; but the very next day intelligence was received that the rebel fleet had sailed westward,³ and doubtless before many days more all serious alarm was at an end.

Edmund
de la Pole.

The next political letter refers to Edmund de la Pole, Earl of Suffolk, whose first escape from England was made in the summer of 1499. The king was then staying at Godshill, in the Isle of Wight, where the Earl of Oxford was with him; and the latter wrote to Sir John Paston on the 20th August to make inquiry what persons had accompanied the fugitive, or were privy to his departure, commanding him to take into

¹ No. 1058.—This list agrees pretty well with the names given in the description of the ceremony printed by me in *Letters and Papers of Richard III. and Henry VII.*, vol. i. p. 390. But besides some variations in spelling and a difference in one place as to the Christian name, this list includes the names of Lords Harington and Clifford, who are not only not mentioned in the other as having been made Knights of the Bath on this occasion, but who seem to be excluded by the statement that there were only twenty baths and beds provided besides those of the prince himself.

² No. 1059.

³ No. 1060.

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custody every one whom he could find to have been any way concerned in the matter, or any 'suspect' person who seemed to be 'of the same affinity,' found hovering near the sea coasts.¹ Writs were issued the very same day to the sheriffs of the Eastern Counties to prevent persons leaving the kingdom without a licence.²

The next letter after this is a notification from the king to Sir John Paston, given on the 20th May 1500, that Catherine of Arragon, the affianced bride of Arthur, Prince of Wales, was expected in England in the following May. Sir John Paston was required to be ready to give his attendance at her reception at that date; but owing to a change of plans, she did not arrive before October 1501.³

After this there is nothing more relating to public matters during Sir John Paston's life; but we must not pass over without notice the very curious account given in No. 1078—a letter which, though among the Paston papers, has no obvious connection with the Paston family at all—of the meeting between Henry VII. and Philip, King of Castile, at Clewer, near Windsor, in January 1506. It is well known how Philip, who until the death of his mother-in-law, Isabella of Spain, was only Archduke of Austria, had set out from Flanders to take possession of his new dominions, when, meeting with a storm at sea, he was driven upon the coast of England, and was for some time entertained by Henry at his court. This letter gives a minute description of the meeting between the two kings, and of the persons by whom they were accompanied, noting the apparel and liveries of all present, after the fashion of court newsmen. The scene unquestionably must have been a striking one; but we must refer our readers for the particulars to the letter itself.

Social Aspect of the Times

Thus far have we followed the fortunes of the Paston family and the history of the times in which they lived, as

¹ No. 1065.

² *Letters and Papers Ric. III. and Hen. VII.*, vol. ii. p. 377.

³ No. 1066.

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illustrated by their correspondence. The reader must not, however, imagine that we have by any means exhausted the materials before us, either in their social or in their political bearings. Indeed, to whatever length we should prolong these observations, we could not but leave an ample harvest of facts to be gathered in by others, nor have we attempted more than to bring the leading points of the story into one connected narrative. Of the general condition of society revealed to us by this remarkable correspondence, we have left the reader to form his own impressions. But a few very brief remarks upon this subject may perhaps be expected of us before we conclude.

Education. The first thing which strikes the most casual observer on glancing over these letters, is the testimony they afford to the state of education among the people at the period in which they were written. From the extreme scarcity of original letters of such an early date, we are too easily led to undervalue the culture and civilisation of the age. But these letters show that during the century before the Reformation the state of education was by no means so low, and its advantages by no means so exceptionally distributed, as we might otherwise imagine. For it is not merely that Judge Paston was a man of superior cultivation, and took care that his family should be endowed with all those educational advantages that he had possessed himself. This was no doubt the case. But it must be remembered that the majority of these letters were not written by members of the Paston family, but were only addressed to them; and they show that friends, neighbours, lords, commoners, and domestic servants possessed the art of writing, as well as the Pastons themselves. No person of any rank or station in society above mere labouring men seems to have been wholly illiterate. All could write letters; most persons could express themselves in writing with ease and fluency. Not perhaps that the accomplishment was one in which it was considered an honour to excel. Hands that had been accustomed to grasp the sword were doubtless easily fatigued with the pen. Old Sir John Fastolf evidently feels it a trouble even to sign his name, and in his latter years invariably allows

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others to sign it for him. Men of high rank generally sign their letters, but scarcely ever write them with their own hands. And well was it, in many cases, for their correspondents that they did not do it oftener. Whether, like Hamlet, they thought it 'a baseness to write fair,' and left such 'yeoman's service' to those who had specially qualified themselves for it; or whether, absorbed by other pursuits, they neglected an art which they got others to practise for them, the nobility were generally the worst writers of the day. Their handwriting and their spelling were on a par, and were sometimes so outrageous, that it requires no small effort of imagination to comprehend the words, even if we could be sure of the letters.¹

Education, nevertheless, was making undoubted progress, ^{Eton College.} both among high and low. Eton College and King's College, Cambridge, had been founded by Henry VI. only a few years before old Judge Paston died. His grandson and namesake, William Paston, as we have seen, was sent to the former place for his education, and was learning to construct Latin hexameters and pentameters there in 1479. His progress, it is true, seems to have been but indifferent. What was to be expected of a young gentleman of nineteen, whose attention, even while at school, was distracted by the thought that he had already met with one who might be a partner for life? Nevertheless, in that same letter in which he writes to his brother John what he knows of Mistress Margaret Alborow, he sends him also a specimen of his performances in Latin versification. It is not a very brilliant production, certainly, but the fact of his sending it to his elder brother shows that John Paston too had gone through a regular classical training on the system which has prevailed in all public schools down to the present day.

It has, moreover, been remarked that the illustrations both ^{Oxford.} of Eton and of Oxford life in the fifteenth century bear a

¹ A notable example of this is afforded by the letters of Edmund de la Pole, Earl of Suffolk, which will be found printed in my *Letters and Papers of Richard III. and Henry VII.* His successor in title, Charles Brandon, Duke of Suffolk, the favourite of Henry VIII., wrote quite as barbarous a hand, and outraged orthography in a manner equally bewildering.

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striking resemblance to the well-known usages of modern times. It is true Walter Paston's expenses at Oxford were not great, even if we take into consideration the much higher value of money in that day. For a period of probably half a year they amounted to no more than £6 : 5s. : 5 $\frac{3}{4}$ d.¹ Yet when he became B.A. he gave a banquet, as graduates have been accustomed to do since his day, for which he was promised some venison from Lady Harcourt, but was disappointed.² Even the expenses attending the graduation, however, do not appear to have been very heavy. 'It will be some cost to me, but not much,' wrote Walter Paston in his own case, though he had been disappointed in the hope of passing at the same time as Lionel Woodville, the queen's brother, afterwards Bishop of Salisbury, who apparently would have borne a portion of the expenses of his fellow-graduates.³

From the letters just referred to we are reminded that it was at this time usual for those who received a liberal education not only to take a degree in arts but to proceed afterwards in the faculty of law. At the universities, unfortunately, law is studied no longer, and degrees in that faculty are now purely honorary.

Mode of
computing
dates.

Some other points may be suggested to us, even by the most superficial examination of the contents of these volumes. The mode in which the letters are dated by their writers shows clearly that our ancestors were accustomed to measure the lapse of time by very different standards from those now in use. Whether men in general were acquainted with the current year of the Christian era may be doubted; that was an ecclesiastical computation rather than one for use in common life. They seldom dated their letters by the year at all, and when they did it was not by the year of our Lord, but by the year of the king's reign. Chronicles and annals of the period, which give the year of our Lord, are almost always full of inaccuracies in the figures; and altogether it is evident that an exact computation of years was a thing for which there was considered to be little practical use. As to months and days, the same remark does not apply. Letters were very

¹ No. 931.

² No. 946.

³ No. 945.

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frequently dated in this respect according to what is the general usage now. But even here, as the reader will not fail to observe, there was a much more common use of Festivals and Saints' days, and when a letter was not written on a day particularly marked in the Calendar, it was frequently dated the Monday or Wednesday, or whatever day of the week it might happen to be, *before* or *after* such a celebration. Agnes Paston even dates a letter during the week by the collect of the Sunday preceding :—'Written at Paston in haste, the Wednesday next after *Deus qui errantibus*.'¹

Of their modes of computing other things we have little indication in these volumes except in money accounts, which Mode of reckoning. are always kept in Roman figures. No separate columns are set apart in mss. of this date (although for the convenience of the reader this has sometimes been done in print) for the different denominations of pounds, shillings, pence, and marks, so that it would have been impossible for the best arithmetician easily to cast up totals after the modern fashion. The arithmeticians of that day, in fact, had a totally different method of reckoning. They used counters, and had a counting-board or abacus, on which they set up the totals.² An instance of this occurs in the first volume, where John Paston, in superintending the works at Caister Castle, or, as we now rather suspect, at Mautby, thought it advisable to change the room in which his coffers and his 'countewery' should be set. In connection with this incident one other point is worthy of observation. On taking the measure of the new room, John Paston's wife reported that he would find it less convenient than the former one. 'There is no space,' she wrote, 'beside the bed, though the bed were removed to the door, to set both your board and your coffers there, and to have space to go and sit beside.'³ When it is considered that the room in question was a draught chamber, that is to say, that it contained a privy in

¹ No. 34.

² The modern mode of adding up columns of arabic numerals was called *Algorism* or *Awgrym*. Thus Palsgrave gives as an example of the use of the word—'I shall reken it syxe times by aulgorisme, or you can caste it ones by counters.'—*Promptorium Parv.* i. 18.

³ No. 224.

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addition to the furniture which Paston intended to introduce, want of space ought certainly to have been a very serious objection.

Manner of
living.

The neglect of sanitary considerations in domestic architecture—indeed, in domestic matters generally—was no doubt a prolific source of disease and pestilence. Yet the general plan of daily life pursued by our ancestors was, it must be owned, more wholesome than that of the nineteenth century. It is well known that they were early risers. Innumerable patent kinds of artificial light did not tempt them to waste the natural hours of rest either in study or in dissipation. Their meals too were earlier. Their dinner was at noon, if not before; and after dinner, in the long summer days, it was customary to take some additional repose. Thus Henry Windsor concludes a letter to John Paston—‘Written in my sleeping time at afternoon, on Whitsunday.’¹ This practice of sleeping in the daytime was so universal that in the case of labourers it was only thought necessary to keep it within certain limits, and to restrict it by Act of Parliament to a quarter of the year, from the middle of May to the middle of August.²

Sending
dinners
out.

A curious practice in relation to dining mentioned in Letter 423 has already been incidentally alluded to. It was the year after Sir John Fastolf's death, and John Paston's wife had gone out of Norwich to reside at Hellesdon. Paston's increased importance in the county was shown by the Mayor and Mayoress of Norwich one day *sending their dinners out* to Hellesdon, and coming to dine with Margaret Paston.* Of this kind of compliment we have another illustration in More's *History of Richard III.* It is well known how, when just after the death of Edward iv. the Earl of Rivers and Lord Richard Grey were conducting the boy king Edward v. up to London, they were overtaken by the Duke of Gloucester at Stony Stratford, and placed under arrest. As the story is reported by More, Gloucester at first treated his prisoners with courtesy, and at dinner sent a dish from his own table to Lord Rivers, praying him to be of good cheer, for all

¹ No. 332.

² Statute 6 Hen. viii. ch. 3.

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should be well enough. 'And he thanked the duke,' continues the historian, 'and prayed the messenger to bear it to' his nephew the Lord Richard with the same message for his comfort, who he thought had more need of comfort as one to whom such adversity was strange; but himself had been all his days in ure therewith, and therefore could bear it the better.'

The courtesies of life were certainly not less valued in those rough unquiet days than in our own. Although men like Caxton lamented the decline of chivalry, its civilising influence continued, and its most important usages were still kept up. Among the books which William Ebesham transcribed for Sir John Paston at the rate of twopence a leaf, was one which was called *The Great Book*, treating of 'the Coronation and other Treatises of Knighthood,' 'of the manner of making joust and tournaments,' and the like.¹ His library, or that of his brother John, contained also 'the Death of Arthur,' the story of Guy of Warwick, chronicles of the English kings from Cœur de Lion to Edward III., the legend of Guy and Colbrand, and various other chronicles and fictions suited to knightly culture; besides moral treatises, like Bishop Alcock's *Abbey of the Holy Ghost*, and poetical and imaginative books, such as the poems of Chaucer—at least his *Troilus and Cressida*, his *Legend of Ladies* (commonly called *The Legend of Good Women*), his *Parliament of Birds*, the *Belle Dame sauns Mercie*, and Lydgate's *Temple of Glass*. Books like these formed part of the recreations of a country gentleman. They contained, doubtless, the fund of ideas which fathers communicated to their children around the winter fire. And the children were the better qualified to appreciate them by an education which was entirely founded upon the principles of chivalry.

It was in accordance with these principles, and to maintain a true sense of order in society, that the sons of knights and gentlemen were sent at an early age to serve in other gentlemen's houses. Thus John Paston the youngest was sent to be brought up in the family of the Duke of Norfolk; and so

Chivalry
and
courtesy.

The
training of
the young.

¹ Nos. 695, 987.

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common was this practice, so necessary was it esteemed to a young gentleman's education, that, as we have seen, his father was reproached for keeping his elder brother at home and unemployed. In a new household, and especially in that of a man of rank, it was considered that a youth would learn something of the world, and fit himself best for the place he was to fill in it. It was the same also, to some extent, with the daughters of a family, as we find Margaret Paston writing to her son Sir John to get his sister placed in the household either of the Countess of Oxford or of the Duchess of Bedford, or else 'in some other worshipful place.'¹ This we have supposed to be his sister Margery, who (no doubt for want of being thus taken care of) shortly after married Richard Calle, to the scandal and disgust of the whole family. His other sister, Anne, was placed in the household of a gentleman named Calthorpe, who, however, afterwards desired to get rid of her, alleging that he wished to reduce his household, and suggested that she 'waxed high, and it were time to purvey her a marriage.' It is curious that the prospect of her being sent home again does not seem to have been particularly agreeable even to her own mother. Margaret Paston wonders why Calthorpe should have been so anxious to get rid of the young lady without delay. Perhaps she had given him offence, or committed some misdemeanour. Her mother therefore writes to her son John the youngest in London to see how Cousin Clere 'is disposed to her-ward,' that she may not be under the necessity of having her home again, where she would only lose her time, and be continually trying her mother's patience, as her sister Margery had done before her.²

Want of
domestic
feeling.

And was this, the reader may well ask, the spirit of domestic life in the fifteenth century? Could two generations of one family not ordinarily live together in comfort? Was the feeling of older people towards children only that they ought to be taught the ways of the world, and learn not to make themselves disagreeable? Alas! I fear, for the most part it amounted to little more than this. Children, and especially daughters, were a mere burden to their parents.

¹ No. 704.

² No. 766.

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They must be sent away from home to learn manners, and to be out of the way. As soon as they grew up, efforts must be made to marry them, and get them off their parents' hands for good. If they could not be got rid of that way, and were still troublesome, they could be well thrashed, like Elizabeth Paston, the aunt of the last-mentioned young ladies, who, as will be remembered, was allowed to speak to no one, was beaten once or twice a week, and sometimes twice in one day, and had her head broken 'in two or three places' in consequence.¹

Such a state of matters, however repulsive to our feelings, is by no means unaccountable. That age was certainly not singular, however much mistaken, in its belief that a sense of what is due to the State is more important than a sense of what is due to the family. Our ancestors forgot the fact—as we too, in this age of enforced schooling are too apt to leave it out of account—that the most important part of education, good or bad, must inevitably be that which a child receives at home. They were rewarded for their forgetfulness by a loss of natural affection, for which their high sense of external order afforded but imperfect compensation. Admirable as the feudal system was in maintaining the necessary subordination of different classes, it acted most injuriously upon the homes, where all that makes up a nation's real worth must be carefully tended in the first instance. The very Wardships. foundation of domestic life was in many cases vitiated by a system which put the wardship and marriage of heirs under age at the disposal of their superior lords. In the case of an important landowner who held of the Crown, it was a regular matter of bargain and sale. The wardship and marriage were granted away to such a person as could offer the Treasury a satisfactory sum for the privilege; and if the heir took it upon himself to marry without licence of such person, he incurred a heavy fine.² Thus was the most sacred of all

¹ No. 94, and p. 155 of this Introduction.

² We have already referred, at p. 154, to the case of Stephen Scrope, whose wardship was sold by his stepfather, Sir John Fastolf, to Judge Gascoigne, but was afterwards bought back again to prevent the judge marrying him to one of his own daughters, both the original sale and the redemption being equally against the will of

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human relations made a matter of traffic and sale, and the best feelings of the human heart were systematically crushed by considerations the most sordid.

Remarks
of a
Venetian
on the
English.

The absence of domestic affection among the English people generally was, in fact, a subject of observation to foreigners in that day. The earliest extant report of a Venetian ambassador on the state of this country was written in the reign of Henry VII., and in this we find some very strong comments on the subject, showing that the cold-heartedness of parents towards their children, the want of tenderness in husbands towards their wives, the mercenary way in which marriages were contracted by parents or guardians for the young people under their charge, was such as to shock the sensibility of strangers from the warmer lands of the South. To the Italian mind it seemed as if there was no real human nature in Englishmen at all. There was licentiousness among them, to be sure, but our Venetian almost doubted whether in high or low society an Englishman was ever known to be in love. He had witnessed nothing of the sort himself. On the contrary, he had seen young noblemen content to marry old widows for the sake of fortunes, which they hoped to share soon with younger partners; and he suspected that although Englishmen were very jealous husbands, the most serious offences against married life might be condoned for money.¹

Freedom of
manners.

It is impossible to deny that these comments, except the last, which we would fain hope was a mistake, must have been largely justified. The Paston letters bear strong additional testimony to the general truth of what our Italian critic saw in England. Yet, acute as his observation was, an ambassador from the stately Signory of Venice was perhaps not altogether

Stephen Scrope himself, who complained that Fastolf had 'bought and sold him like a beast.' The particulars of these transactions are not obtained from the Paston Letters, but there will be found several notices of another wardship, viz. that of Thomas Fastolf of Cowhaw, kinsman of Sir John Fastolf, which was bought by Sir John of the king, and committed by patent to John Paston and Sir Thomas Howes, and which became the subject of a good deal of controversy.—*See* Nos. 248, 263, 266, 267, 271, 292, and 352.

¹ *Italian Relation of England* (Camden Soc.), pp. 24-27.

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in a position to read the deepest mysteries of the English heart. To this day the warmth of the English nature lies covered by a cold exterior ; yet even in the external manners of the people the genial Erasmus found touches which our Venetian cared not for, and did not deign to notice. While feudalism still kept down the natural emotions, insisting on a high respect for order, there was a freedom in social intercourse, and in England more than elsewhere, which has long ago been chilled among ourselves by the severity of Puritanism. In his own amusing way Erasmus tells us how in this delightful island ladies and gentlemen kissed each other freely whenever they met, in the streets or in their houses. There were kisses when you came, and kisses when you went away—delicate, fragrant kisses that would assuredly tempt a poet long abroad to stay in England all his days.¹ So the witty Dutchman informed a friend in the unrestrained freedom of epistolary correspondence. And we may believe that in most cases the severity of home was mitigated by a greater freedom of communication with the world outside. Only in cases of very severe displeasure were the daughters of a family shut up for a time, like Elizabeth Paston, and forbidden to speak to any one. For the most part, they received the salutations of strangers, and conversed with them without reserve, as marriage was quite understood to be a thing which depended entirely upon arrangements made by their parents.

With all this, there was an urbanity of manners, a courtesy of address, and a general external refinement, on which more recent times have not improved. And in these things England was pre-eminent. Our Venetian could not help noticing that the English were a very polite people. Another Italian of that day, Polydore Vergil, has recorded that in this respect they resembled his own countrymen. The hard schooling which they received at home, the after-training elsewhere in the houses of 'worshipful' persons, had taught them from their early years to consider above all things what was due to others. In every relation of life, in the freest social intercourse, the honour due to parents, to strangers, to noblemen, or to kings,

¹ *Erasm. Epp.* lib. v. 10.

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was never for a moment forgotten. In the most familiar letters the son asks his father's or mother's blessing, and the wife addresses her husband as 'right worshipful.' When people talked to each other on the street, they did so with heads uncovered. Even kings at the mention of other potentates' names took off their hats with reverence.¹

Import-
ance of
maintain-
ing
authority.

An age which, with all its many drawbacks, cultivated ideas such as these cannot be looked upon as despicable or barbarous. We could have wished to see something more of the element of love in families—something more of the easy rule of natural affection occasionally superseding the hard notions of feudal or parental discipline. But the anxiety to uphold authority, to preserve honour for whom it was due, to maintain social and political order in spite of influences which were conspicuously at work breaking it up before men's eyes, was a true and wholesome feeling, to the strength of which we owe a debt unspeakable even in these days of progress. At no time in England's history was there a stronger feeling of the needful subordination of the different parts of society to each other; but under a king incapable of governing, this feeling bred a curse, and not a blessing. The great lords, who should have preserved order under the king, fell out among themselves, and in spite of the fervid loyalty of the age, the greatest subject became a kingmaker.

The
Earl of
Warwick's
household.

That civil war should have broken out in a state of society like this need occasion no surprise. The enormous retinues of feudal noblemen were in themselves sufficiently dangerous to the peace of the kingdom, and when the sense of feudal subjection to one sovereign was impaired, the issue could not be doubtful. At the table of the great Earl of Warwick, Stow informs us that the flesh of six entire oxen was sometimes consumed in a single meal. With the profuse hospitality of the Middle Ages, he entertained not only all his regular dependants, but all chance comers who had any acquaintance in his house—

¹ *Italian Relation*, pp. 22-32; Polydore Vergil, 14-15. Henry VII., in conference with the Spanish ambassador, De Puebla, always took off his hat when the names of Ferdinand and Isabella were mentioned (Bergenroth's *Spanish Calendar*, vol. i. p. 10). I have also seen notices of the same custom elsewhere.

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hold. Visitors were also allowed to carry off joints from his table, and the taverns in the neighbourhood of Warwick's inn were actually full of his meat.¹ Such a nobleman had no difficulty in obtaining friends to fight for him in the day of battle. He maintained, in fact, what might be called a little standing army at all times, and if an emergency arose, doubtless many who had dined at his table would flock to his standard, and take his wages.²

The causes which had produced the wars of the Roses were carefully watched by the Tudor sovereigns, and one by one rooted out. Laws were passed against noblemen keeping large retinues, and were not suffered to remain a dead letter. The nobility of England learned to stand in awe of the Crown in a way they never did before, and never have done since. Every branch of the royal family, except the reigning dynasty, was on one pretext or another lopped away. Every powerful nobleman knew that just in proportion as he was great, it was necessary for him to be circumspect. Under Henry VIII. and Elizabeth, birth and rank counted for very little, and the peers became submissive instruments, anxious, and indeed eager, to carry out the sovereign's will. In short, the unity of a divided nation was restored under a set of politic kings, who enforced the laws, kept down the nobility, and, in spite of their despotism, were generally loved by the people.

The
Tudor
policy.

¹ Stow's *Chronicle*, 421.

See No. 760.

APPENDIX TO PREFACE AND INTRODUCTION

I. WILL OF PETER LE NEVE.—See p. 3

THE following extracts from the will of Peter Le Neve, as contained in the principal register at Doctors' Commons, are curious in other respects besides their bearing on the history of the Paston mss.

Item, I give and bequeath unto the Reverend Doctor Tanner, Chancellor of Norwich, and Mr. Thomas Martin of Palgrave, all my abstracts out of records, old deeds, books, pedigrees, seals, papers, and other collections which shall only relate to the antiquities and history of Norfolk and Suffolk, or one of them, upon condition that they, or the survivor of them, or the executors or administrators of such survivor, do and shall, within twelve months next after my decease, procure a good and safe repository in the Cathedral Church of Norwich, or in some other good and publick building in the said city, for the preservation of the same collections, for the use and benefit of such curious persons as shall be desirous to inspect, transcribe, or consult the same. And I doe hereby give full power to the said Doctor Tanner and Thomas Martin, and to the survivor of them, and to the executors or administrators of such survivor, to fix and prescribe such rules and orders for the custody and preservation of the said collections as they shall think proper. . . .

Item, my will and mind is, that if my said wife Frances shall at any time hereafter intermarry with Thomas Allen, my late clerk, then I will that she shall have and enjoy but the annuity or summe of forty pounds per annum from the time of such her intermarriage, and noe more shall be paid unto her by my aforesaid trustees; and I strickly charge and forbid her, the said Frances, to permitt the said Thomas Allen to come into any of my studys, or to lend or give him any of my books or papers, or to suffer him in any respect to intermeddle with my affairs. Item, I give unto my said wife Frances such goods and things att Bow and Wychingham as I shall mencion and sett down in a certain paper to be signed and left by me for that purpose. Item, I give unto my said wife Frances my crown, silver gilt, my collar, silver party, my jewell, my herald's coat and chain. Item, I give unto Henrietta Beeston the summe of twelve pence per week, to be paid to her from the first day of August last for so long time as she shall continue with me at Wychingham. Item, I will that all my shelves, presses, drawers, and boxes now in my

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study att Wychingham shall goe along with my Norfolk and Suffolk collections to Norwich. . . .

Item, the residue of my printed or manuscript books, arms, and things relating to antiquity, I give them unto such person and persons, and bodyes, politic or corporate, as I shall direct and appoint, in a paper to be signed and left by me for that purpose.

The above will was proved 7th November 1729.

II. JULIAN HERBERD.—See pp. 33, 34

The following documents in the case of Julian Herberd *v.* William Paston are preserved in the Record Office among 'Chancery, Parliamentary and Council Proceedings.' The date, it will be seen, must be after 1432 :—

MEMBRANE 1

William Paston.

S^r Rauf, parson of Bronham, steward with my maister Cromwell.

Austinne Bange of Norwiche.

John Roppys with hem priour of the Abbey of Norwiche.

Rob't Chapelleyn of Norwiche.

Rob't Grygge of litel Plomstede in the cuntie of Norwiche.

S^r William, the vicaire of Saint Stephenes Chirche in Norwiche.

MEMBRANE 2

Please it to youre moste hie and habundant grace to graunte un to youre pouere and continuel bedwoman Julian Herberd, that William Paston one of youre Juges of the cōe benche may come with alle his affinite and appere bifore youre hie and gracious presence with alle youre worthy and right wyse counsail, and that of youre hie goodnesse comaunde the seide William Paston to bringe bifore yow and to schewe alle the evidences and munimentes, whiche that the modere of youre geide pore bisechere schulde have yeve un to the seide William Paston state or to any man that had it bifore hym or eny man for here seide moder or eny of the seide blode, fro the tyme youre seide pore bisechere modere was borne un to this oure. For the seide William Paston knowleched bifore my lorde of Warewyk and youre Chaunceller of Inglonde, youre Tresorer, youre chef Juge of the Kynges benche, and afore other of yo^r sergeantz of lawe, beyng to gidere, how he radde diversez evidences of xix acres londe that schulde longe un to youre seide pore bisechere every yere vj. viij^d, so that sche wolde holde here plesed and content. Up on the whiche sche wolde nat holde here so agreed with oute youre gracious advis in this matere. Besechinge to youre hie and habundant grace, for oure right worthy and gracious Kynge youre fadere soule, and for oure right worthy and gracious quene youre moder soule, whos soules God of his grace assoille, that youre seide pore bisecher may have here evidences, so that here trewe right might be opynly knowen. For there ys twies so good behinde as the saide William Paston knowleched of

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the seide xix acres, and youre seide pore bisecher wol nat assent that he schulde take his otthe, laste he wol suere that he have nat here evidences. For it may nat be but he moste nedes have hem or summe of his, and that ys opynly knowen. That it like un to youre good Grace to considere this matere above wretyn, and thereuppon to graunte, that the seide William Paston with alle his affinite and youre seide bisecher may alle be bounden to yow in a simple obligation in what somme that liketh youre hie wysdome, demene so that they may abide youre awarde, with the assent & consent of youre fullę wys and discrète counsell and youre worthy and gracious jugement in this mater for the love of God and yn wey of charitee.

MEMBRANE 3

TO OURE RIGHT GRACIOUS LORDE THE KYNGE

Please it to youre right high and gracious lordeshipe to considere the grete wronges that William Paston hath done to Julian Herberd, youre pore wydowe and continuell bedewoman, for with holdynge of diverses evidences and wrongefulle prisonmentes that he hath done to the seide Julian ayenst youre lawes, whiche been here under wretyn yn article wise, whiche the seide Julian bisechith un to youre moste hie and gracious lordeshipe oversee, and that remedie may be putte therynne by youre gracious hondes atte Reverence of God and in wey of charitee.

These been the wronges and extorcions done to Julian Herberd doughter and heir of Herry Herberd of lytel Plumstede yn the Counte of Norff. and Margarete his wyf, doughter and heir to William Palmere, sometyme of the seide Plumstede, by William Paston, and of othere by his assent.

Firste, there as the seide Margarete died sesid yn here demene as yn fee taile of a mesuage of xix. acres of londe with thappourtenance yn Plumstede, the whiche to the same Julian schulde discende be right of heritage, as doughter and nexte heir of the seide Margarete. The whiche William Paston the seide Juliane of the seide mees and londes now be xl. wynter hath withholden, the whiche been yerly worth xxx*l*. and better, the sōme ys now owynge lx*l*.

Memorandum, quod Juliana Herberd de Norwico, que fuit filia Margarete Palmere de Plumstede produxit Robertum Bresyngham et Johannem Colton, Cives Norwici, coram Willelmo Paston apud Norwicum in Camera sua ad recordandum coram eo et aliis circumstantibus quod Johannes Thornham optulit prefate Juliane pro tribus acris terre in campis de Plumstede predictis xl*l*. pro jure suo hereditario, que tres acre jacent in placito inter dominum Johannem Thornham, petentem, et Robertum Grigge tenentem. Et prefatus Robertus Bresyngham et Johannes inquirebant per vicin*u* vill' adja*ct*, qui dixerunt quod Margareta Palmere, mater dicte Juliane fuit recta heres illius terre; Et quod post decessum ejusdem Margarete discendere debuisset prefate Juliane ut de feodo talliato. Et postea dictus Willelmus in presencia Radulphi Rectoris de Brunham, Johannis Roppys, Henrici Pye de Brixston, Thome Marchall et aliorum ibidem existencium publice legebat cartas et evidencias pertinentes dicte Juliane, et optulit eidem Juliane pro suo jure habendo etc., x*l*jd., et postea xxx*d*. Et eciam pro majorę evidencia dicta Juliana produxit duodecim legales homines

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ville de Plumstede Magna et Parva coram Thoma Erpyngham milite, qui dixerunt quod prefata Margareta, mater dicte Juliane, fuit recta heres predictarum terrarum etc., et quod per totam patriam bene est cognitum quod prefata Juliana est recta heres ejusdem Margarete. Ac eciam alia vice predictus Willelmus optulit dicte Juliane pro jure suo xxj. in presencia Ricardi Gegge, Gentilman, sibi solvendos quandocunque vellet, prout idem clericus omni tempore recordare voluerit.

Also there as the seide Julian pursued ayenst the seide William atte a paflement holden aſte Westminstre, and there the seide William did here arrest yn to the Countour of London, and there kepte here yn prisone to the seide parlement was ended thretnynge here to holde here there terme of here lyf, but yf sche wol relese to hym here right and make acquitaunce generall.

Also the seide Paston, be nightes tyme bituene ix. or x. of the belle, did do bringe the seide Julian prisoner under warde to his ynne in Fletestrete, and there constreined here to seale a blanke chartre, yn whiche he dide write a relese atte his owne devys, and sent here ayene to prisone, and there kepte here iij. daies, and sent ayene for here to hire the relese radde, and profred for here right vj. marke.

Also the seide Paston, the Saturday nexte bfore the feste of Saint George, the vj. yere, etc., profred the seide Juliane in presence of the Chaunceller vj. marke yn playne court and iij. acres of the seide londe, and so moche ys the seide Juliane refused that profre, did arreste here newe in the seide Countoure and helde here there from the vij. day of Feverere, etc., and there wolde make here swere on a book or be bounde by obligacion never more to pursue here right.

Also the seide Paston atte Counsell holden atte Redynge the seide Juliane pursued to the lorde of Bedford, and he comaunded to write his lettres to the seide Paston chargynge hym to aggre with here, the seide Paston havynge knowleche that sche sewed for the lettres, made a false sugestion to the Chaunceller, wherby sche was by a sergeaunt of armes committed to Flete, and there beten, fetered and stokked, and so there holden by an hole yere, to that entent that no man schulde wete where sche was by come tille sche hadde be dede in prison. Of whiche false prisonment S^r Thomas Erpyngham pursued here deliveraunce, comaunded here to be atte the nexte Cessions to be justefied there, consideringe to here grete damage as well in here body as losse of goodes by so longe tyme continued, whiche prisonment the seide Julian wolde nat have hadde for xlii. beside alle other losse of goodes.

• Also the seide Paston with holdeth alle the evidences to here seide right longinge, and wastynge the seide mesuage and londes in that he may.

Also the seide Paston kepte here iij. yere in the pitte withynne the Castell of Norwiche in grete meschef, in so moche that scho hadde nat but a pynte of mylke yn x. daies and x. nightes, and a ferthinge loffe, standinge under the jugement and ordenance of the Duke of Norffe now late passed to God.¹

Also, the seide Paston scith hadde youre seide suppliant in prisone in the Rynges benche, and there sche lay xij. monthes and more in harde payne and distresse nye dede for colde hunger and thurste.

¹ John Mowbray, second Duke of Norfolk, who died in 1432.

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Item, the seide Paston dede to bringe here oute of the Roundehows yn to youre paleys and brought here afore youre chef Justice, and than the saide Paston comaunded certienes persones to bringe here to prisone to youre Benche, and badde atte his perille certienes persones to smyte the brayne oute of here hede for suyng of here right, and there beyng in grevous prison duryng half yere and more fetered and cheined, suffringe colde, hunger, thurste, in pointe of deth, God and ye, gracious Kynge, helpe here to here right.

(*Membranes 1 and 2 are sewn on to the face of membrane 3, one at the top, the other at the bottom.*)

III. PARMINTER'S INSURRECTION.—See p. 75.

In the bundle of Privy Seals for the year 29 Henry VI. is a pardon to James God, dated on the 4th March, and delivered to the Chancellor for execution on the 5th. Attached to it is the following record of his indictment:—

'*Kent sc.—Jur' dicunt quod Jacobus God nuper de Feversham in com' prædicto, plummer, et alii, ac quamplures alii proditores, rebelles et inimici illustrissimis Principis Henrici Regis Angliæ Sexti post Conquestum ignoti et nuper complices et de societate falsi proditoris Will'i Parmynter, smyth, qui se ipsum nominavit Secundum Capitaneum Kanciæ, eidemque adhærentes et de ejus covina et assensu in omnibus prodicionibus suis mortem dicti Regis et destructionem regni sui Angliæ conföderantes, machinantes, compassantes et proponentes, ultimo die Augusti anno regni dicti Regis vicesimo nono¹ apud Feversham et alibi in com. Kanciæ se adinvicem congregaverunt ad numerum quadringentorum hominum et amplius, dicentes et confidentes quod ipsi essent de eorum covina et assensu ad eorum libitum et voluntatem xl. milia hominum armatorum et modo guerrino arraiatorum ad præbendum et percussendum bellum contra dictum Regem seu quoscumque alios in prodicionibus suis prædictis eis contravenientes, et falso et proditorie insurrexerunt et mortem dicti Regis imaginaverunt et compassi fuerunt, ac guerram adtunc et ibidem et alibi per vices infra dictum com. Kanc. falso et proditorie contra dictum Regem, supremum dominum suum, levaverunt, in destructionem ipsius Regis et Regni prædicti.*

BENET.'

There is a note of the trial of Parmynter in Hilary term, 29 Hen. w., on the Controlment Roll of that year, rot. 9.

IV. PARDON TO JOHN PAYN.—See p. 78.

On the Patent Roll 30 Henry VI., p. 1, m. 23, occurs the following entry:—

De Pardonacione.—Rex omnibus ballivis et fidelibus suis ad quos, &c.,

¹ So in the record, Est evidently an error. It should have been *vicesimo octavo*.

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salutem. Sciatis quod cum nonnulli rebelles nostri in comitatu nostro Kancie, paucis ante diebus contra pacem nostram insurrectionem gravem concitantes, quasdam factiones proditorias contra nostram personam detestabiliter machinati fuerint, nonnullaque prodiciones, mūdtra, felonias et facinora, aliasque transgressiones perpetraverint; quia tamen, cum nuper per civitates, oppida atque villas in eodem comitatu nostro ad eorum hujusmodi insolencias et rebelliones coercendos iter faceremus, plurimi ex eisdem, spiritu sanioris consilii ducti, plurimum humiliati, etiam usque femoralia nudi, suorum immanitates criminum coram nobis confitentes, veniam a nobis effusis lachrymis anxie postularunt; Nos, ad singulorum hujusmodi ligeorum nostrorum submissiones humillimas nostros misericordes oculos dirigentes, ac firmiter tenentes quod de cætero in nostra obedientia stabiles permanebunt, fidem ligeancie sue erga nos inantea inviolabiliter servaturi, ad laudem, gloriam et honorem Omnipotentis et misericordis Dei ac gloriosissimæ Virginis matris Christi, de gratia nostra speciali pardonavimus, remisimus et relaxavimus Johanni Payn de Pecham in comitatu prædicto, yoman, alias dicto Johanni Payn, nuper de Estpekhham in comitatu prædicto, smyth, qui inter cæteros se submitit nostræ gratiæ, quocumque nomine censeatur, sectam pacis nostræ quæ ad nos versus eum pertinent, seu poterit pertinere, pro quibuscumque prodicionibus, felonis, mūdtris et transgressionibus per ipsam a septimo die Julii anno regni nostri vicesimo octavo usque decimum diem Junii ultimo præteritum factis sive perpetratis; acetiam utlagarias, si quæ in ipsum Johannem occasionibus prædictis seu earum aliqua fuerint promulgatæ; necnon omnimodas forisfacturas terrarum, tenementorum, reddituum, possessionum, bonorum et cattallorum, quæ idem Johannes nobis occasionibus prædictis seu earum aliqua forisfecit aut forisfacere debuit, et firmam pacem nostram ei inde concedimus: Ita tamen quod stet recto in curia nostra si quis versus eum loqui voluerit de præmissis seu aliquo præmissorum. Proviso semper quod ista nostra pardonacio, remissio sive relaxacio se non extendat ad aliqua malefacta supra mare et aquas aliquo modo facta sive perpetrata. In cujus, &c. Teste Rege apud Westmonasterium secundo die Novembris.

Two similar patents were granted on the same date to Richard Doke, yeoman, and William Souter, labourer, both of Peckham.

V. THE DUKE OF YORK AT DARTFORD.—See p. 99.

• The most minute account of the encampment of the Duke of York at Dartford is contained in the following extract from the Cottonian Roll, ii. 23.

At Crayfford, myle from Dertfford.

Primo die mensis Marcii anno regni Regis Henrici Sexti xxx^o ther was my Lord of Yorkes ordynaunce iiij^m gownner, and hym self in the middell ward with viij^m, my Lord of Devynsher by the southe side with vj^m, and my Lord Cobham with vj^m at the water side, and vij. shippus with ther stuff. And sith that tyme, and sith was poyntment made and taken at Dertfford by embassetours, my Lord the B. of Wynchester, my Lord B. of Ely, my Lord

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the Erle of Salusbury, my Lorde of Warrewik, my Lord Bewcham, and my Lord of Sydeley, &c., whiche poyntment was, &c. And soon after was Chatterley, yeman of the Crown, maymed, notwithstanding he was takyn at Derby with money making and ladde to London. Then after the Kynges yeman of his chambur, namyd Fazakerley, with letteris was sent to Luddelowe to my Lord of Yorke charging to do forth a certeyn of his mayny, Arthera, squier, Sharpe, sqier, &c.; the whiche Fazakerley hyld in avowtry Sharpes wiff, the which Sharpe slewe Fitzacurley, and a baker of Ludlow roos and the Commyns, &c., the whych baker is at Kyllingworth Castell, &c. After this my Lord of Shrousbury, &c., rode in to Kent, and set up v. peyre of galowes and dede execucion upon John Wylkyns, taken and brought to the towne as for capteyn, and with other mony mo, of the whiche xxviij. were honged and be heded, the whiche hedes were sent to London; and London said ther shuld no mo hedes be set upon there; and that tyme Eton was robbyd, and the Kyng beyng at Wynsor on Lowe Sonday, &c

VI. THE DUKE OF YORK AND THE COUNCIL.—See p. 132.

The following document is enrolled on the Patent Roll, 32 Henry VI., membrane 20 :—

Pro Ricardo Duce Ebor.—Rex omnibus ad quos, &c., salutem. Inspecimus tenorem cujusdam actus in consilio nostro apud Westmonasterium tento facti, venerabili patri Johanni Cardinali et Archiepiscopo Cantuariensi, totius Angliæ primati, Cancellario nostro, per Thomam Kent, clericum ejusdem consilii nostri, ad exemplificationem tenoris prædicti sub Magno Sigillo nostro in forma debita fiendam nuper deliberatum et in filaciis Cancellariæ nostræ residentum, in hæc verba :—

The xxj. day of Novembre, the yere of the regne of oure Souverain Lorde King Henry the VIth xxxijth at Westmynstre, in the Sterred Chambre, being there present the Lordes, the Cardinal Archebisshop of Canterbury and Chaunceller of England, th' Archebisshop of Yorke, the Bisshops of London, Winchester, Ely, Norwich, Saint Davides, Chestre, Lincoln, and Carlisle, the Duc of Buckingham, th'Erles of Salisbury, Pembroke, Warrewik, Wiltshire, Shrovesbury, and Worcestre, Tresourer of England, the Viscount Bouchier, the Priour of Saint Johns, the Lordes Cromwell, Suddeley, Duddeley, Stoufford, and Berners. The Duc of York reherced unto the seid Lordes that he, as the Kinges true liegman and subgit, was by commandement directed unto him undre the Kinges Prive Seal, come hidre to the Kinges greet Counsail, and wolde with all diligence to his power entende to the same, and to all that that sholde or might be to the welfare of the King and of his subgettes; but for asmoche as it soo was that divers persones, suche as of longe tyme have beep of his Counsail, have be commaunded afore this tyme, by what meanes he watted, never, not to entende upon him, but to withdrawe thaim of any counsail to be yeven unto him: the which is to his greet hurte and causeth that he can not procede with suche matfers as he hath to doo in the Kinges courtes and ellus

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where, desired the Lordes of the counsaill abovesaid that they wolde soo assente and agree that suche as have been of his counsaill afore this tyme might frely, without any impediment, resorte unto him and withoute any charge to be leide unto them, yeve him counsaill from tyme to tyme in suche matiers as he hath or shal have to doo. To the which desire alle the Lordes abovesaide condescended and agreed, as to that thing that was thought unto them juste and resounable, and fully licenced all suche persones as he wolde calle to his counsaill frely withoute any impediment to entende unto him; and commaunded this to be enacted amonge th'actes of the Counsaill. Actum anno, mense, die et loco ut supra, præsētibz dominis supradictis. T. Kent.

Nos autem tenorem actus prædicti ad requisicionem carissimi consanguinei nostri prædicti, Ricardi Ducis Ebaracensis, duximus exemplificandum per præsentēs. In cujus, &c. Teste Rege apud Westmonasterium, vj. die Decembris.

VII. DEFENCE AGAINST THE EARL OF WARWICK.—See p. 185.

The following commissions are found on the Patent Roll 38 Henry VI., p. 2, m. 21. They afford remarkable evidence of the terror inspired in the Queen's Government by the capture of Lord Rivers at Sandwich.

De advocando et debellando.—Rex carissimo consanguineo suo Johanni Duci Norff' ac dilecto et fideli suo Philippo Wentworth militi, necnon dilectis, sibi Roberto Willoughby, Johanni Hopton, Willelmo Tyrell, Thomæ Brewes, Gilberto Debenham, Johanni Clopton, Willelmo Jenney, et Reginaldo Rous, salutem. Quia satis manifestum est quod quidam rebelles nostri Ricardo nuper Comiti Warr' proditori et inimico nostro adhærentes, villam nostram Sandewici jam tarde intrarunt et ibidem mala quamplurima nobis et fidelibus ligeis nostris fecerunt et perpetrarunt, et alia mala prioribus pejora in diversis partibus comitatus nostri Suff', si eas ingredi poterint, facere et perpetrare proponunt, ut veraciter informamur, nisi eorum maliciæ citius et celerius resistatur: Nos, tam maliciæ ipsius inimici nostri ac complicum suorum prædictorum (*sic*), quam pro defensione partium ibidem providere volentes, ut tenemur, assignavimus vos, conjunctim et divisim, ac vobis et vestrum cuilibet plenam potestatem et auctoritatem damus et committimus ad advocandum coram vobis [omnes] et singulos ligeos nostros comitatus prædicti, cujuscunque status, gradus seu conditionis fuerint, de quibus vobis melius videbitur expedire, ad proficiendum vobiscum contra præfatum inimicum nostrum ac complices suos prædictos, ac ad assistenciam et auxilium suum vobis seu vestrum cuilibet in eorum resistenciam dandum et impendendum in casu quo idem inimicus noster ac complices sui prædicti dictum comitatum vel partes adjacentes ingredi præsumant, ac ad eos et secum comitantes ut hostes et rebelles nostros debellandum, expugnandum, et destruendum, ac ad omnia alia et singula quæ juxta sanas discretiones vestras in hac parte in repressionem prædictorum inimicorum nostrorum ac complicum suorum et eorum maledicti propositi fore videritis necessaria et oportuna, facien-

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dum, exercendum et exequendum. Et insuper assignavimus vos conjunctim et divisim ad omnes personas partem prædicti nuper Comitis Warr' seu aliorum rebellium nostrorum et complicum suorum verbis vel operibus defendentes et tenentes, vel aliqua verba contra majestatem nostram regiam habentes et dicentes, similiter capiendum et arestandum, et in prisonis nostris in forma prædicta custodiendum, et custodiri faciendum. Et ideo vobis et vestrum cuilibet mandamus quod circa præmissa diligenter intendatis et ea faciatis et exequamini in forma prædicta. Damus autem universis et singulis vicecomitibus, majoribus, ballivis, constabulariis, ac aliis officiariis, ministris, fidelibus legiis et subditis nostris quibuscunque, tam infra libertates quam extra, tenore præsentium, firmiter, in mandatis, quod vobis et vestrum cuilibet in executione præmissorum intendentes sint, assistentes et auxiliantes in omnibus diligenter. In cujus, &c. Teste Rege apud Westmonasterium, x. die Februarii. Per Consilium.

Consimiles literæ Regis patentes diriguntur carissimo consanguineo suo Johanni Duci Norff' ac dilectis et fidelibus suis Thomæ Tudenham militi, Willelmo Chamberleyn militi, Miloni Stapulton militi, et Philippo Wentworth militi; necnon dilectis sibi Willelmo Calthorp, Johanni Heydon, Henrico Inglose, Johanni Wymondham, et Thomæ Claymond in comitatu Norff'. Teste ut supra.

Consimiles literæ Regis patentes diriguntur dilectis et fidelibus suis majori et aldermannis ac vicecomitibus villæ suæ de Kyngeston super Hull, et eorum cuilibet in villa prædicta. Teste Rege apud Westmonasterium, xvj. die Februarii.

VIII. WILLIAM WORCESTER.—See p. 199.¹

1460
AUG. 28

De scripto irrotulato, Worcestre.—Universis et singulis Christi fidelibus ad quos præsens scriptum pervenerit, Willelmus Worcestre, alius dictus Botoner, de Castre juxta Yermouth in com' Norff., gentilman, salutem in Domino. Noveritis me, præfatum Willelmum, dedisse, concessisse et hoc præsentī scripto meo confirmasse Henrico Everyngham armigero, Hugoni Fenne gentilman, Henrico Wyndesore gentilman, Roberto Toppes juniore, gentilman, et Johanni Bokkyng, gentilman, omnia et singula bona mea et catalla, mobilia et immobilia, viva et mortua, ubicunque et in quorumcumque manibus, tam infra comitatu prædicto quam alibi infra regnum Angliæ existentia seu² inveniri poterint; acetiam omnia debita quæ mihi quacunque de causa a quibuscunque personis ubilibet debentur; habenda et tenenda omnia prædicta bona, catalla et debita præfatis Henrico, Hugoni, Henrico, Roberto et Johanni, executoribus et assignatis suis, ad inde faciendum, ordinandum et disponendum liberam suam voluntatem, ut de bonis, catallis et debitis suis propriis, sine contradictione, perturbatione, seu reclamacione aliquali imperpetuum; Ita, videlicet, quod nec ego, prædictus Willelmus, nec executores mei, nec aliquis alius per nos, pro nobis, seu nomine nostro, aliquid juris, proprietatis, seu clamei in prædictis bonis, catallis et debitis, nec in aliqua parcella eorundem, de cætero exigere,

¹ [From *Glose Roll* 39 Henry VI., m. 13 d.]

² *Sic.*

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clamare seu vindicare poterimus nec debemus in futuro; sed ab omni actione juris, proprietatis et clamei inde petendi totaliter simus exclusi imperpetuum per præsentēs. In cujus rei testimonium huic præsentī, scripto meo sigillum meum apposui. Datur vicesimo octavo die Augusti, anno regni Regis Henrici Sexti post Conquestum Angliæ tricesimo octavo. 1460
AUG. 28

Et memorandum quod prædictus Willelmus venit in Cancellariam Regis apud Westmonasterium primo die Septembris anno præsentis et recognovit scriptum prædictum et omnia contenta in eodem in forma prædicta.

IX. JOHN PASTON CLAIMED AS THE KING'S 'NATIVUS.'—See p. 225.¹

FROM THE FIRST ASSEMBLY BOOK OF THE CITY OF NORWICH (fol. 65).

[Assembly on Friday after the Epiphany, 5 Edw. iv.]

Eodem die publicata fuit per Maiorem et Recordatorem Civitatis causa adventus domini de Scales ad civitatem secunda vice infra xviiith dies; est et fuit pro bonis et catallis Johannis Paston quem dominus Rex pro suo nativo seisiuit, ad dicta bona et catalla in quorumcunque manibus comperta fuerint nomine domini Regis seisiend', et mesuagium² ipsius Johannis Paston infra Civitatem intrand' et seisiend' cum omnibus bonis et catallis in eodem inventis. Unde super et de materiis predictis per Recordatorem et Consilium legis peritorum Civitatis responsum fuit dicto domino de Scales omnibus viis modis et forma secundum eorum erudicionem prout poterunt (? potuerunt) pro libertate Civitatis salvand' et custodiend' illesa. Et quia materia predicta tangit libertatem Civitatis et privilegia, et dictus dominus de Scales per aliquod responsum ei factum non vult satisfieri, pro eo quod dictus dominus de Scales intendit omnino dictum mesuagium intrare et clausuras eiusdem frangere; Id circo presens communis congregacio summonita fuit, consilium et avisamentum communis Consilii et Constabulariorum³ Civitatis audire et inde habere. Post vero diversas com- 1466
JAN. 10

¹ For this extract from the Assembly books of the City of Norwich I am indebted to the Rev. William Hudson of Eastbourne, who further adds the following particulars:—

The Mayor this year was Thomas Elys who is mentioned in the Paston Letters (iv. 139) as a great supporter of the Duke of Suffolk and opponent of Paston.

The Recorder apparently was John Damme, I suppose the same who occurs so often as a friend of the Pastons.

What with this divergence of feeling and the difficulty of satisfying Lord Scales as well as their own duty towards the City the case was a delicate one and was rather ingeniously dealt with.

There is no other reference to the matter in the Norwich documents so far as I am aware.

² The house is supposed to have been in the parish of St. Peter Hungate, but it is not certainly known.

³ About this period the 24 Ward Constables were associated in an Assembly with the 60 Common Councillors. This is why they are mentioned here, not with any reference to 'police' action.

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1466 municaciones communicare petierunt deliberacionem; matura deliberatione
JAN. 10 habita sic definitum, quod introitus factus erit per assensum totius communis
congregacionis per feoffatores ipsius Johannis Paston, quia bene suppositum est
quod tam certi Aldermanni quam Cives Communitarii¹ Civitatis sint cofeoffati
cum ipso Johanne Paston; et sic per feoffatores dictum mesuagium erit apertum
sine fractura vel ad minus nomine ipsorum feoffatorum vel feoffatarius.

X. A CHRONOLOGICAL NOTE.

It is desirable here to correct an error in the text, which unfortunately was discovered too late. Letters 1020-1022 are out of their proper place. No. 1020 is certainly a letter of Elizabeth Woodville, Edward iv.'s queen, not of her daughter Elizabeth, who was Henry vii.'s. No. 1021 was placed after it as being about the same time, which no doubt it was; and the fact that the Earl of Oxford was out of favour for a considerable part of Edward iv.'s reign made it appear as if both letters belonged to that of Henry vii., to which they were accordingly relegated in previous editions. But this Earl of Oxford was in favour under Edward iv. till the restoration of Henry vi.; and No. 1022, a letter which only appeared in the Supplement of the last edition of this work, was written by John Daubeney, who was killed at the siege of Caister in 1469. The reference to the Queen's confinement, moreover, which was so perplexing in the case of Elizabeth of York, fits exactly with the August of 1467, in which month Elizabeth Woodville gave birth to a daughter named Mary. This letter, therefore, was written on the 8th August, which would be the 'Saturday before St. Laurence' day' in that year: and it must be noted that the footnotes on p. 107 are entirely wrong. The Archbishop of York referred to in the letter was George Nevill, and the Treasurer was Richard, Earl Rivers.

No. 1021 is perhaps before A.D. 1467, as Howard and Sir Gilbert Debenham are believed to be intending 'to set upon Coton,' of which apparently Sir Gilbert was in possession in April 1467 (see vol. iv. No. 664, p. 274).

¹ Members of the Common Council.

END OF VOLUME I

